

# Resettlement Plan

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Project Number: 53077-001  
June 2022

## People's Republic of China: Gansu Environmentally Sustainable Rural Vitalization and Development Project—Ganzhou Subproject

Prepared by Ganzhou District Project Management Office for the Asian Development Bank.



## **Currency Equivalents**

(as of 1 February 2022)

Currency Unit	=	Yuan (CNY)
USD 1.00	=	CNY 6.35
CNY 1.00	=	USD0.15748

## **ABBREVIATIONS**

ADB	–	Asian Development Bank
DMS	–	Detailed Measurement Survey
FGD	–	Focus Group Discussion
GRM	–	Grievance Redress Mechanism
IA	–	Implementing Agency
KII	–	Key Informant Interview
LAR	–	Land acquisition and resettlement
LURT	–	Land use right transfer
IA	–	Implementing Agency
NRB	–	Natural Resources Bureau
PMO	–	Project Management Office
PRC	–	People's Republic of China
TRTA	–	Transactional Technical Assistance

## **NOTE**

In this report, "\$" refers to United States dollars.

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甘州项目办



(签字)

2022.6.27

(日期)

## Letter of Commitment

The Ganzhou Sub-project is one of the sub-projects of the Gansu Environmentally Sustainable Rural Revitalization and Development Project finance by ADB (The Project).

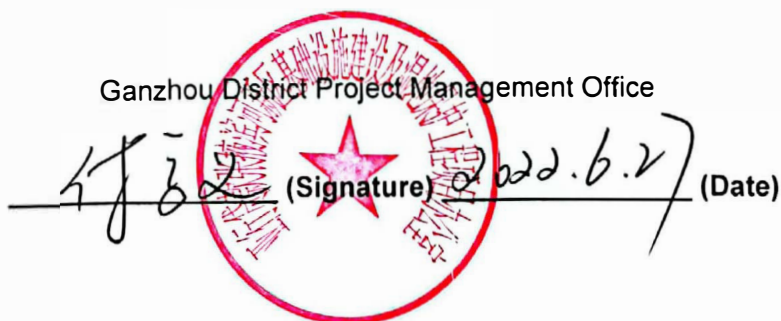
Land acquisition and resettlement of the Subproject must be implemented in accordance with relevant laws and regulations of PRC and ADB's Safeguard Policy Statement (SPS 2009), especially ADB's requirements on involuntary resettlement.

Therefore, a Resettlement Plan (RP) has been prepared during project preparation on basis of the project activities and scope specified in feasibility study report and preliminary measurement survey of LAR impacts. The RP represents a key requirement of ADB on involuntary resettlement during project preparation and implementation.

Ganzhou District Project Management Office hereby confirms the contents of the Resettlement Plan (RP) and commits that the resettlement budget in RP will be included in the general investment of the Subproject and will be disbursed in a full and timely manner. The Ganzhou District Project Management Office has discussed the RP with relevant departments (such as the Ganzhou District Natural Resources Bureau and Ganjun Town) and obtained their recognition. The RP will be updated once final design and detailed measurement survey (DMS) completed and then submitted to ADB for review and clearance prior to awards of civil work contracts and commencement of LAR activities.

Ganzhou District Project Management Office will be responsible for overall coordination and management of RP preparation, updating, implementation, monitoring and reporting, and Ganzhou District Natural Resources Bureau and Ganjun Town government are specifically responsible for the implementation of land acquisition within their jurisdictions.

Ganzhou District Project Management Office

The signature is written in black ink over a red circular stamp. The stamp contains a five-pointed star in the center and Chinese characters around the perimeter. To the right of the signature, the date '2022.6.27' is handwritten, followed by '(Date)' in parentheses.

(Signature) 2022.6.27 (Date)

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## **Executive Summary**

### **A Project Overview**

1. The Ganzhou Sub-project is one of the sub-projects of the Gansu Environmentally Sustainable Rural Revitalization and Development Project financed by ADB (the Project). Ganzhou Sub-project will be implemented in Ganjun Town, Ganzhou District, Zhangye City, Gansu Province, China. The Ganzhou Sub-project mainly comprises seven parts, which are (i) High-standard Farmland Construction, (ii) Fruit and Livestock Circularity Demonstration Park, (iii) Farming Culture Popularization Base, (iv) Ecological Environment Governance Rural Development, (v) Green and Intelligent Energy-saving Agricultural Facilities, (vi) Ecological Restoration Works (Ganzhou section of Heihe River) and (vii) Ecological Beef Cattle Farm. The total investment in the Ganzhou Sub-project is CNY 549,766,700. The project implementation period is from December 2022 to November 2028.

### **B Resettlement Scope and Resettlement Impact**

2. The Subproject will affect Ganjun Village and Xiaoquan Village, Ganjun Town, Ganzhou District, Zhangye City. The Ganzhou Sub-project will occupy a total area of 5,100.54 mu, of which, 1,699.54 mu will be permanently occupied land and 3,401 mu collectively owned unused land will be obtained from the villages through voluntary land use right transfer (LURT). The Ganzhou Sub-project will not involve house demolition nor temporary land occupation.

3. Among 1699.54 mu land to be permanently occupied, 35.6 mu collectively owned cultivated land will be acquired permanently, affecting 7 households and 15 persons, of whom 4 households with 9 persons who will lose 10%~20% of the HH's income; 12.76 mu land has been acquired, with 4 households and 14 persons affected, and 1651.18 mu (including 51.18 mu state-owned construction land and 1600 mu state-owned unused land) will be occupied. All state-owned land are vacant, unencumbered land that will not affect any persons. The Subproject will obtain state-owned land through allocation at no cost except for the required government administration fees. In addition, 3,401 mu collectively-owned unused land will be obtained from villages through voluntary LURT. The collectively owned unused land is not contracted to households. As a result, no person will be involved directly.

### **C Policy Framework and Compensation Entitlements**

4. The Resettlement Plan is formulated in accordance with the Land Administration Law of the People's Republic of China (PRC) (2020), the Measures of Implementing the Land Administration Law of the PRC in Gansu Province (2021), the Comprehensive Land Price Standard for the Acquisition of Agricultural Lands in Gansu Province (2020), the Comprehensive Land Price Standard for the Acquisition of Agricultural Lands in Zhangye City (ZZF [2020] NO.36), and the Safeguard Policy Statement of ADB (2009), particularly the Safeguard Requirement 2: Involuntary Resettlement.

5. Compensation will be based on the principles of full replacement cost. Apart from cash compensation, livelihood restoration measures will also be provided as follows: priority in employment opportunities and training opportunities of the Subproject and provision of subsidies of the endowment insurance for land-expropriated farmers.

### **E Information Disclosure, Public Participation, and Grievance Redress**

6. Despite the impact of COVID-19, site visits, focus group discussions, key informant interviews, videoconferences, remote surveys, and other communication and public consultation activities were conducted during RP preparation. AP's views and concerns have

been well incorporated in the RP. The RP will be disclosed on the websites of the local government and ADB after clearance by ADB, and the resettlement information booklet and the RP will be distributed to the affected persons or villages at the same time.

7. A grievance redress mechanism (GRM) has been established for this Subproject. The Gansu Provincial Project Management Office (Gansu PMO), Ganzhou District Project Management Office (Ganzhou PMO), Natural Resources Bureau, and Ganjun Town and village committees are responsible for coordinating and resolving the complaints and appeals in the process of LAR. They will accept and address the complaints and appeals of the affected persons free of charge, and the reasonable expenses incurred therefrom will be paid from the contingencies in resettlement budget.

## **G Institutional Arrangements, Implementation Schedule, and Budget**

8. Ganzhou PMO will be responsible for overall management and coordination of RP preparation, updating, implementation, monitoring and reporting. Ganzhou District Natural Resources Bureau and Ganjun Town are responsible for RP implementation. As per the project implementation schedule, the implementation of land acquisition and resettlement of the Subproject will be from October 2022 to December 2023.

9. The budget for land acquisition and resettlement of the Subproject is CNY 3.48 million. All resettlement budget has been included in the total investment of the Subproject. Ganzhou PMO will raise enough domestic counterpart funds to disburse for resettlement compensation of the Subproject.

## **H Monitoring, Evaluation and Reporting**

10. LAR and voluntary LURT activities of the project will be subject to internal and external monitoring. Internal monitoring will be conducted by the Gansu PMO, Ganzhou PMO and other concerned implementing agencies. Internal monitoring reports will be submitted to ADB semiannually, along with the project progress reports. The Gansu PMO will engage an external agency to conduct its own verification, monitoring and evaluation. The external monitor will submit external resettlement monitoring reports to PMO and ADB semiannually.

## **1 Project Overview**

### **1.1 Project Background**

1. The Ganzhou Sub-project is one of the sub-projects of the Environmentally Sustainable Rural Revitalization and Development Project of Gansu Province financed by ADB. Ganzhou Sub-project will be implemented in Ganjun Town, Ganzhou District, Zhangye City, Gansu Province, China, involving Ganjun Village and Xiaoquan Village.

2. The Ganzhou Sub-project mainly comprises seven components, which are (i) High-standard Farmland Construction, (ii) Fruit and Livestock Circularity Demonstration Park, (iii) Farming Culture Popularization Base, (iv) Ecological Environment Governance Rural Development, (v) Green and Intelligent Energy-saving Agricultural Facilities, (vi) Ecological Restoration Works (Ganzhou section of Heihe River) and (vii) Ecological Beef Cattle Farm. Adhering to the design concepts of green & carbon emission reduction and energy conservation & environmental protection, all individual works are designed with green building materials following the green design idea and taking green construction measures and other methods, to integrate the sustainable development idea into the whole process of project implementation.

3. The Ganzhou District Project Management Office (Ganzhou PMO) will take overall responsibilities for the preparation, implementation, coordination, and management of the Subproject. The implementation period of the Subproject is from December 2022 to November 2028.

4. See Figure 1-1 for the layout of Ganzhou Sub-project.

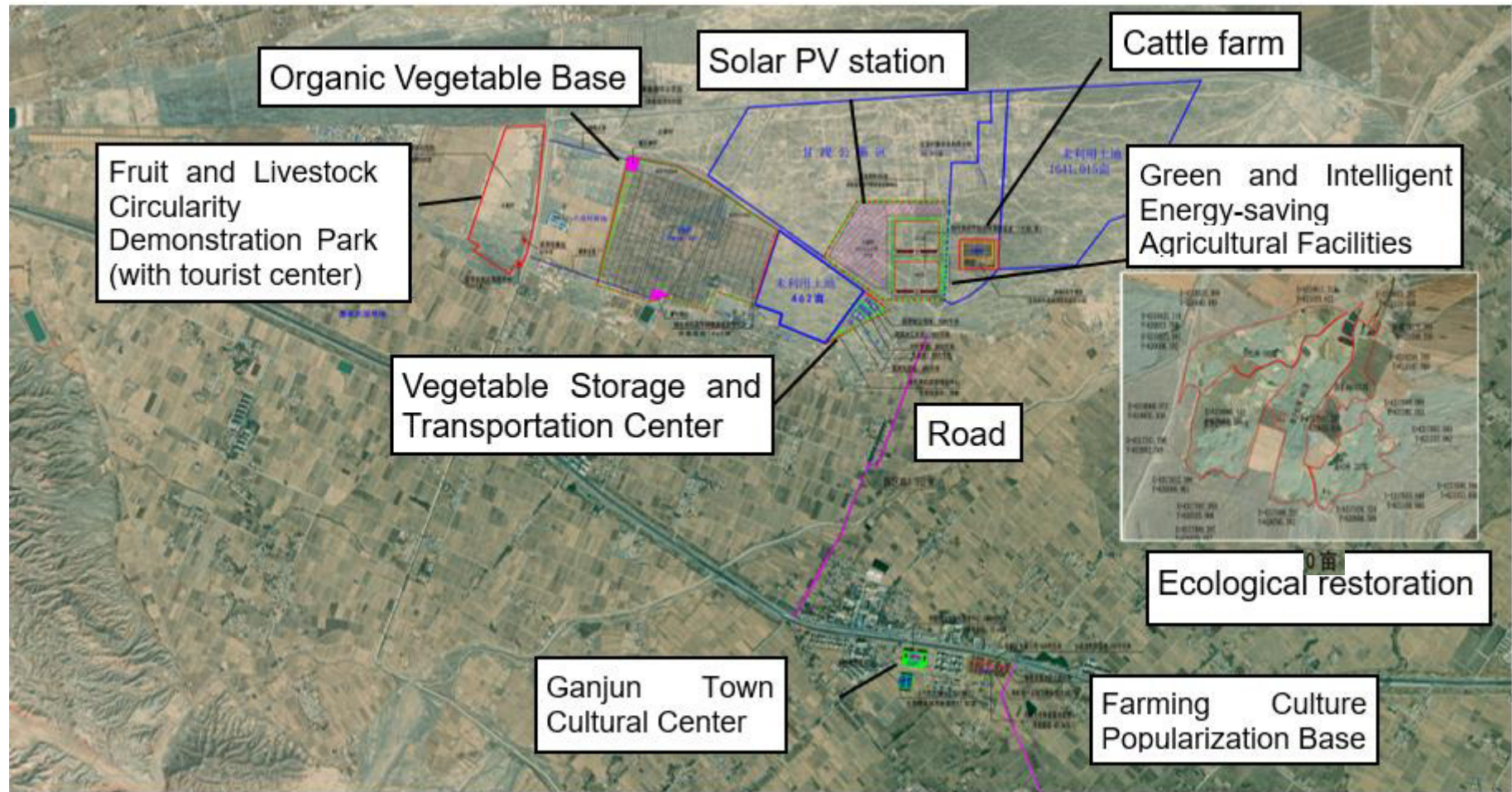


Figure 1-1 General Layout of the Subproject

## 1.2 Resettlement Impact Profile

5. According to the construction content of the Subproject, Ganzhou PMO has investigated and identified the resettlement impacts of the Subproject.

6. The Ganzhou Branch of Zhangye Natural Resources Bureau has issued the pre-examination of land use, clarifying that the land to be used by the Subproject will not occupy basic farmland and ecological protection area, and the project construction conforms to relevant national regulations. See Details in **Annex 1**.

7. The Subproject will affect Ganjun Village and Xiaoquan Village, Ganjun Town, Ganzhou District, Zhangye City. The Ganzhou Sub-project will occupy a total area of 5100.54 mu, of which, 1699.54 mu will be permanently occupied land and 3401 mu collectively owned unused land will be obtained from the villages through land use right transfer (LURT).

8. The Subproject will use 1,699.54 mu land permanently, including: (i) 35.6 mu collectively owned cultivated land to be acquired, affecting 7 households and 15 persons; (ii) 12.76 mu land has been acquired in 2020, with 4 households and 14 persons affected, and (iii) 1651.18 mu state-owned land (including 51.18 mu state-owned construction land and 1,600 mu state-owned unused land). All state-owned land is vacant land that will not affect any persons. Ganzhou Sub-project will not involve house demolition nor temporary land occupation impacts.

9. During the preparation of the Resettlement Plan (RP), due diligence has been carried out on completed land acquisition. It was found that the completed land acquisition complied with relevant laws, regulations and procedures in China, resettlement compensation had been fully paid to affected persons, no complaints had been received, and no remaining problems related to land acquisition and compensation have been identified. See **Annex 2** - Due Diligence on completed land acquisition.

10. In addition, the Subproject will use 3,401 mu collectively owned unutilized land through land use right transfer (LURT) without directly affected persons. LURT refers to the transfer of land use rights from communities or farmer households with contracted management rights of land to other farmer HHs or economic organizations, i.e. retaining land contracting rights and transferring use rights for a specific period of time. The facilities can be constructed on the land through LURT, which is facility agricultural land according to PRC's laws and regulations. It includes the land directly used for crop cultivation, livestock and poultry breeding and aquaculture as well. Among them, the land for crop cultivation includes the nursing houses for crop production and services, storage for agricultural materials and machines, and production-related facilities for drying, sorting, packaging, fresh-keeping, and storage. The facility agricultural land for livestock and aquaculture includes the land for aquaculture production and directly related dung & stale disposal, inspection & quarantine, and production roads, excluding the land for slaughter and meat processing. Facility agricultural land belongs to internal type adjustments of agriculture land and do not require land acquisition and conversion to state-owned land and LURT is applied according to PRC's laws and regulations. See Table 1-1 for the summary of resettlement impacts of the Ganzhou Sub-project. For LURT, Ganzhou PMO has prepared a *land use right transfer Framework* to guide the implementation of land use right transfer. See **Annex 3** for details.

11. At the design and implementation stages, this RP will be updated based on the preliminary design of the Project and the results of the DMS. The updated RP will be submitted to ADB for review and approval before the award of civil works contracts, and the beginning of LAR.

**Table 1-1 Project Composition and Resettlement Impacts**

S/N	component	Main construction contents	Town	Village	Overview of Resettlement Impacts	Remarks
I	High-standard Farmland Construction	This component will construct: (i) Green Organic Vegetable Planting Base Construction, including 1,460 mu existing unutilized land improvement; (ii) Arched Greenhouses (12m*55m*2.8m, 1 mu/set) construction on the improved farmland; and (iii) Green Organic Vegetable Storage and Transportation Center construction within the existing industry area of Xiaoquan village, including cold storage warehouses, vegetable transfer yards, primary processing workshop, and so on.	Ganjun Town	Xiaoquan Village	1,460 mu collectively owned wasteland in villages will be occupied, without directly affected persons	voluntary Land use right transfer
II	Fruit and livestock circulation demonstration park	1,090 mu soil replacement / improvement and economic trees/crops planting and supporting facilities and equipment.	Ganjun Town	Xiaoquan Village	1,090 mu collectively owned wasteland in villages will be occupied, without directly affected persons	voluntary Land use right transfer
III	Construction of farming culture popularization base	500 m2 exhibition hall and 500 m2 science popularization hall; 800m2 workshop for the experience of organic agricultural produce processing to be built in the agricultural culture exhibition area; 40 green shared farms and 4,000m footpaths, 2.3km park roads, and 100 sets of solar streetlights to be built	Ganjun Town	Ganjun Village	48.36 mu land in Ganjun Village will be occupied, of which 12.76 mu has been acquired, 35.6 mu will be acquired, affecting 7 households and 15 persons	Permanent collective land acquisition
IV	Econological Environment Governance Development Rural	Comprehensive Cultural Service Center of Ganjun Town, 2,500 m2 energy efficient tourist service center, 11,716 m2 low carbon publicity and education square and ecological parking lots, 8	Ganjun Town	Ganjun Village	51.18 mu state-owned construction land will be used. The land is vacant and unencumbered, and they are not used by any persons or units.	State- owned land allocation in free of charge

S/N	component	Main construction contents	Town	Village	Overview of Resettlement Impacts	Remarks
		electric sightseeing shuttle buses, and 40 charging piles				
V	Green and Intelligent Energy-saving Agricultural Facilities	modern high-efficiency and energy-saving multi-span film greenhouses and 1 photovoltaic power station covering an area of 100 mu are built; 20,000m <sup>2</sup> transfer site; 3.2km park roads; 125,750m <sup>2</sup> ecological landscaping and greening	Ganjun Town	Xiaoquan Village	786 mu collectively owned wasteland in villages will be occupied, without directly affected persons	voluntary Land use right transfer
VI	Ecological restoration works	Ecological Restoration for Ganzhou Section of Heihe River, including 1,600 mu forestation, 667,000 m <sup>3</sup> soil replacement, 319,600 trees planting for wind proofing and soil stability, and the affiliated slope protection and irrigation facilities development.	Ganjun Town	Ganjun Village	1,600 mu state-owned unutilized land will be occupied. The land now is vacant and unencumbered and they are not used by any persons or units.	state- owned land allocation in free of charge
VII	Beef cattle eco-farm	(i) Breeding Area, including 6400 m <sup>2</sup> cowshed, 12,000 m <sup>2</sup> playground, 920 m fences, 400 m <sup>2</sup> isolation shed,etc.; (ii) Auxiliary Production Area, including 100 m <sup>2</sup> production rooms, 200 m <sup>2</sup> fine material storage and repairing room, 1,080 m <sup>2</sup> hayloft, 2,000 m <sup>2</sup> silage platform,etc.; and (iii) Equipment,	Ganjun Town	Ganjun Village	65 mu collectively owned wasteland in villages will be occupied, without directly affected persons	voluntary Land use right transfer

Data source: Feasibility study report of the Project and the field survey (April 2022)



### **1.3 Measures to Reduce or Minimize Resettlement Impact**

12. In the feasibility study stage, an in-depth comparative study was carried out on each scheme to avoid or minimize resettlement impact. Most of the recommended schemes for project land use are wasteland. During the feasibility study stage of the project, the project site and boundary are determined as per the following principles:

- i) Avoiding or minimizing the occupation of existing cultivated land, garden, and other production lands.
- ii) Using wasteland (bare land) as the project land as much as possible, and
- iii) Selecting the scheme occupying the least land after the comparison of the schemes.

13. According to draft FSR in February 2022, the proposed site selection of the Green Shared Farm involved the relocation of 20 to 30 households. When conducting site visit, the TrTA consultants and RP design institute explained ADB's requirements on resettlement to Ganzhou PMO and suggested to optimize the design to avoid such impacts. After revisiting the design, Ganzhou PMO re-selected the site for the Green Shared Farm, avoiding house demolition.

## 2 Land Acquisition and Resettlement Impacts

### 2.1 Resettlement Impact Scope and Survey

14. During the feasibility study of the Project, Ganzhou PMO and Design Institute conducted a preliminary survey on the socio-economic situations and potential land acquisition and resettlement impacts, and solicited the opinions of relevant government departments (such as the Natural Resources Bureau, Agriculture and Rural Affairs Bureau, and Ecological Environment Protection Bureau, Women's Union, etc.) Ganjun town, affected villages and representatives for affected persons.

15. From February to April 2022, after the main construction contents, location and scope of the project were basically determined, the resettlement planning team conducted on-site investigation of land acquisition and resettlement. Three methods were mainly used for resettlement impacts, which are:

- i) Conduct verification of the land conditions and land scope item by item in combination with the main construction contents determined in the feasibility study report through on-site comparison and investigation, and analysis and discussion on suitability and rationality.
- ii) Interviews are conducted with relevant organizations such as Ganzhou Natural Resources Bureau, Agriculture and Rural Affairs Bureau, Ecological Environment Protection Bureau, Women's Federation, People's Government of Ganjun Town and design institute, etc., and the construction scheme and land use scheme determined in the feasibility study report were discussed and confirmed.
- iii) Interviews were conducted with APs to solicit their opinions on the project construction and land acquisition, discuss land acquisition policies and schemes with the affected villages and villagers and solicit their opinions as well.





16. According to the survey and consultations, the Subproject will involve three land-use modes, namely (i) occupation of existing state-owned land, (ii) collective land acquisition, and (iii) unutilized collective via voluntary land use right transfer (LURT). The Subproject will not involve any house demolition and ground attachments. The principles and methods of the Resettlement Influence survey are as follows:

- Finally confirm the total land use of the Subproject, including the scope of land, nature of land, compensation standards, etc.
- Land contracted to peasant households: The investigation and analysis of resettlement impact were carried out as per villages, and the number of affected households and people were identified by village leaders;
- For land not contracted to farmer households: resettlement impact survey and analysis were carried out by villages.

17. The Subproject will affect Ganjun Village and Xiaoquan Village, Ganjun Town, Ganzhou District, Zhangye City. The Ganzhou Sub-project will occupy a total area of 5,100.54 mu, of which, 1,699.54 mu will be permanently occupied land and 3,401 mu collectively owned unused land will be obtained from the villages through land use right transfer (LURT).

18. See Figure 2-1 for the current status of land to be used by the Subproject.

Figure 2-1 Current Situation of Land to be Used by the Subproject

	
Current status of land for ecological restoration (Gobi desert)	Current status of land for ecological restoration (Gobi desert)
	
Current status of construction land for the agricultural culture popularization base	Current status of construction land for the agricultural culture popularization base
	
Current status of land to be transferred for the green organic-vegetable base, fruit and livestock circulation demonstration park, and beef cattle eco-farm (unutilized land)	Current status of land to be transferred for the green organic-vegetable base, fruit and livestock circulation demonstration park, and beef cattle eco-farm (unutilized land)

## 2.2 Resettlement Impacts and Analysis

### 2.2.1 Permanent Collective Land Acquisition

19. The permanent collective land acquisition of the Subproject is caused by the construction of farming culture popularization base. It will acquire 35.6 mu collectively owned land in Ganjun Village, Ganjun Town, Ganzhou District, affecting 7 households and 15 persons.

20. According to the survey, the income of the affected households mainly comes from off-farm work due to the low income of agricultural production. Although the land loss rate of the seven affected households ranges from 30% to 50%, the income loss rate of the affected persons ranges from 6.6% to 19.7%. Among the 7 households, 4 households with 9 persons

will lose 10%~20% of HH's income who are identified as significantly affected households.

21. The affected households considered that land acquisition would have minor impact on their livelihoods. During on-site consultation, all APs have selected monetary compensation and thought the compensation can offset the corresponding income loss due to land acquisition.

Table 2-1 List of Households to be Affected by Land Acquisition

Project activities	S/N	Village	Household	Family size	Female	Vulnerable?	Total Contracted land (mu)	Land acquisition (mu)	Annual Household Income (CNY10,000)	Main Sources of Household Income	Income Loss due to LA (CNY 10,000)	Preferred mode of Payment	Land Loss Rate (%)	Income Loss Rate (%)
farming culture popularization base	1	Ganjun Village	Hu Chenghan	2	1	No	9.2	3.8	8.6	farming and non-agricultural employment	0.57	Monetary compensation	41.3%	6.6%
	2	Ganjun Village	Hu Zhong	2	1	No	14.5	6.83	9.5	farming and non-agricultural employment	1.02	Monetary compensation	47.1%	10.8%
	3	Ganjun Village	Hu Tienpeng	2	0	No	8.5	3.96	7.6	farming and breeding	0.59	Monetary compensation	46.6%	7.8%
	4	Ganjun Village	Hu Wenhan	3	2	No	13.5	6.95	8.5	farming and non-agricultural employment	1.04	Monetary compensation	51.5%	12.3%
	5	Ganjun Village	Hu Quanhan	2	1	No	14.6	7.06	9.5	farming and breeding	1.06	Monetary compensation	48.4%	11.1%
	6	Ganjun Village	Hu Yuanhan	2	1	No	13.2	5.03	7.65	farming and non-agricultural employment	0.75	Monetary compensation	38.1%	9.9%
	7	Ganjun Village	Xu Huilan	2	1	No	4	1.97	1.5	farming	0.30	Monetary compensation	49.3%	19.7%
Total (or average)				15	7		77.5	35.6	52.85		5.34	Monetary compensation	45.9%	10.1%

Data Source: Field survey in April 2022

### 2.2.2 Occupation of State-owned Land

22. The Ganzhou Sub-project will permanently occupy 1,651.18 mu state-owned land, including 51.18 mu state-owned construction land and 1,600 mu state-owned unutilized land; all state-owned land is vacant and unencumbered and will not affect any people or organization. The Subproject will obtain the use right of state-owned land through allocation in free of charge.

**Table 2-2 Occupation of State-owned Land of the Subproject**

S/N	Item of the Project	State-owned construction land (mu)	State-owned unused land (mu)	Subtotal (mu)
IV	Rural Construction of Ecological Environment Governance	51.18	0	51.18
VI	Ecological restoration works (Ganzhou section of Heihe River)	0	1,600	1,600
	Subtotal	51.18	1,600	1,651.18

Data Source: Field survey in April 2022

### 2.2.3 Temporary Land Occupation

23. According to the project feasibility study report, all construction of the Subproject will be implemented within the scope of permanent land acquisition, and the project will not involve temporary land occupation.

24. The covering soil shall be backfilled for land consolidation and restoration, and the surplus soil from land leveling in other areas of Ganzhou District shall be fully used. It is verified that the amount of surplus soil in this part is relatively large, which can fully meet the needs of backfilling and covering during land consolidation of the Subproject. There is no need to set up a special borrow area for the project construction, therefore, the Subproject will not involve any temporary land occupation for soil borrowing.

### 2.2.4 Demolition of Residential Houses

25. The Subproject will not cause any house demolition or relocation impacts.

### 2.2.5 Ground Attachments

26. The Subproject will not affect any ground attachments.

### 2.2.6 Affected Population

27. 7 households and 15 persons will be affected by land acquisition of Ganzhou Sub-project. According to the survey of affected households, Ganzhou Sub-project will not affect any ethnic minorities and vulnerable groups<sup>①</sup>.

<sup>①</sup> Vulnerable groups are distinct groups of people who might suffer disproportionately from involuntary resettlement impacts. For example, low-income households, elderly, persons with disabilities, households headed by women with no form of support.

### 3 Socio-economic Profiles

#### 3.1 Socio-economic Conditions of Affected Areas

##### 3.1.1 Gansu Province

28. Gansu Province has a long history and rich cultural heritage and is one of the birthplaces of human civilization in ancient times. Gansu is located in the upper reaches of the Yellow River, bordering Shaanxi in the east, Sichuan and Qinghai in the south, Xinjiang in the west, and Inner Mongolia and Ningxia in the north. It is the key place and golden section of the ancient Silk Road, with a total area of 453,700 square kilometers.

29. By the end of 2020, there were 25,019,800 permanent residents in the province, including 12,700,900 males, accounting for 50.76% of the total population, and 12,318,900 females, accounting for 49.24% of the total population. Among the total population, the Han population is 22,363,400, accounting for 89.38%, and the ethnic minority population is 2,656,400, accounting for 10.62%.

30. In 2021, the GDP of the whole province reached CNY 1,024.33 billion, an increase of 6.9% over the previous year at constant prices. The province's general public budget revenue was CNY 100.18 billion, an increase of 14.6% over the previous year. The provincial disposable income per capita of residents was CNY 22,066, increasing by 8.5% over the previous year; the disposable income per capita of urban residents was CNY 36,187, increasing by 7.0% over the previous year; the disposable income per capita of rural residents was CNY 11,433, increasing by 10.5% over the previous year.

##### 3.1.2 Zhangye City

31. Zhangye, located in the middle of the Hexi Corridor where Qinghai-Tibet Plateau and Mongolia Plateau meet; covers a total area of 38,600 square kilometers. It has jurisdiction over one district and five counties, namely, Ganzhou District, Linze County, Gaotai County, Shandan County, Minle County, and Sunan County. Its resident population is 1,131,100, with a male population of 570,500, accounting for 50.44%, and a female population of 560,600, accounting for 49.56%.

32. In 2020, the GDP of Zhangye City is CNY 46.705 billion. The added value of the primary industry is CNY 12.862 billion of the secondary industry is CNY 8.699 billion, and of the tertiary industry is CNY 25.145 billion.

33. In 2020, the disposable income per capita of urban residents was CNY 28,976 and the living expenditure per capita of urban residents was CNY 22,079. The disposable income per capita of rural residents was CNY 16,020, and the living expenditure per capita of rural residents was CNY 14,381.

##### 3.1.3 Ganzhou District

34. Ganzhou District is the seat of the Zhangye municipal government, located in the middle of the Hexi Corridor, the southern edge of the Badain Jaran Desert and the northern foot of the Qilian Mountain. It is 65 km long from east to west, 98 km wide from north to south, covering an area of 3661 square kilometers in total. Ganzhou District has jurisdiction over 5 villages, 13 towns, and 245 administrative villages. The Han predominates, and the ethnic minorities include the Hui, Yugur, Tibetan, Mongolian, Manchu etc. According to the seventh national census, the resident population of the Ganzhou District is 571,200

35. In 2020, the regional GDP is CNY 20.22 billion, of which the added value of the primary industry is CNY 5.006 billion, that of the secondary industry is CNY 3.381 billion, and that of the tertiary industry is CNY 11.833 billion. The per capita disposable income of urban residents reached CNY 31763, and that of rural residents reached CNY 18610.

**Table 3-1 Social & Economic Situation of the Project Area**

S/N	Project	Unit	Gansu Province	Zhangye City	Ganzhou District
1	Land Area	km <sup>2</sup>	453700	38610	3661
1.1	Cultivated land area	10,000 mu	6921.45	380	138.78
2	Population	10,000 persons	2501.98	113.11	57.12
2.1	Agricultural population	10,000 persons	1195.25	55.01	27.99
2.2	Non-agricultural population	10,000 persons	1306.73	58.01	29.13
3	GDP	CNY 100 million	10243.3	467.05	202.20
3.1	Primary industry	CNY 100 million	1364.7	128.62	50.06
3.2	Secondary industry	CNY 100 million	3466.6	86.99	33.81
3.3	Tertiary industry	CNY 100 million	5412	251.45	118.33
3.4	Per-capita GDP	CNY/person	41000	28976	35399
4	Urban and Rural Per Capita Disposable Income	CNY/person	36187	22079	31763
5	Rural per capita net income	CNY/person	11433	16020	18610

Data Source: Local Government Statistical Bulletin

### **3.1.4 Socio-economic Aonditions of Project Affected Towns and Townships**

#### **1) Ganjun Town**

36. Ganjun Town is located in the southwest of Ganzhou District and covers an area of 133.62 km<sup>2</sup>. As of November 2020, the resident population of Ganjun Town was 14,913, including an agricultural population of 13,230 and a male population of 7,734. In 2021, the net income per capita was CNY 18,650.

### **3.1.5 Socio-economic Conditions of Project Affected Villages**

#### **1) Xiaoquan Village**

37. There are 455 households and 1,573 people in the village, with a total cultivated land of 6,300 mu and a wasteland of 11,130 mu. In 2021, the net income per capita was CNY 18,900.

#### **2) Ganjun Village**

38. There are 726 households and 2,017 people in Ganjun Village, Ganzhou District,



including a male population of 1,040 and an ethnic minority population of 4. The cultivated land covers an area of 71.8 million mu. In 2021, the per capita disposable income of the village reached CNY 15650.

**Table 3-2 Basic Information of Affected Villages**

district	Town	Village	Household (HH)	Population (person)	Males	Labor (person)	Cultivated Land Area (mu)	Population per Household (person)	Per Capita Cultivated Land (mu)	Per Capita Net Income of Farmers (CNY/person)
Ganzhou	Ganjun Town	Xiaoquan Village	455	1573	1573	1003	6300	3.5	4.01	18900
		Ganjun Village	726	2017	1040	1337	7180	2.8	3.6	15650

Data Source: Affected villages

### 3.2 Socioeconomic Characteristics of Project Affected Population

39. To learn the socioeconomic profile of the affected persons, the RP DI conducted a socioeconomic survey on all affected households (7 households) in February 2022, with assistance of Ganzhou PMO and Ganjun Town Government.

#### Ethnic and gender structure

40. The seven households have 15 persons (averaging 2.1 persons per household, 13 laborers and 7 women (47% of the total population). All are Han people.

#### Age structure

41. Among 15 persons, 13 aged above 16-60 years, accounting for 86.7%, and 2 aged 61 years or above, accounting for 13.3%.

42. Among APs aged 16 years or above, one is illiterate, accounting for 6.7%; two have received primary school or below education, accounting for 13.3%; seven have received junior high school education, accounting for 46.7%; four have received senior high or secondary technical school education, accounting for 26.7%; and one have received junior college education, accounting for 6.7%. See Table 3-3.

**Table 3-3 Composition of Sample Population**

Item	Male		Female		Total	
	N	Percent, %	N	Percent, %	N	Percent, %
<b>Age</b>						
≤16	0	0.0%	0	0.0%	0	0.0%
16-60	7	87.5%	6	85.7%	13	86.7%
> 60	1	12.5%	1	14.3%	2	13.3%
<b>Subtotal</b>	<b>8</b>	<b>100.0%</b>	<b>7</b>	<b>100.0%</b>	<b>15</b>	<b>100.0%</b>
<b>Educational level (&gt;16 years)</b>						
Illiterate	0	0.0%	1	14.3%	1	6.7%
Primary school	1	12.5%	1	14.3%	2	13.3%
Junior high school	4	50.0%	3	42.9%	7	46.7%
Senior high school / secondary technical school	2	25.0%	2	28.6%	4	26.7%
Junior college or above	1	12.5%	0	0.0%	1	6.7%

Item	Male		Female		Total	
	N	Percent, %	N	Percent, %	N	Percent, %
<b>Subtotal</b>	<b>8</b>	100.0%	<b>7</b>	<b>100.0%</b>	<b>15</b>	100.0%

### House size

43. The houses of the 7 households are in masonry concrete structure with an average size of 97.3 m<sup>2</sup> per household or 46.3 m<sup>2</sup> per capita.

### Land resources

44. The 7 households have a total contracted land of 77.5 mu, averaging 11.1 mu per household or 5.2 mu per capita. The main crops are potato, wheat and corn, with average annual output of about 1,600 yuan/mu.

### Household income and expenditure

45. The average annual income of the 7 households is 75,500 yuan per household, in which outside employment income accounts for 64.3%, wage income for 2.3%, farming income for 21.9%, non-agricultural operation income for 9.7%, and other income (i.e. government subsidies, grants from relatives, etc.) for 1.8%.

46. The average annual expenditure of the households is 52,200 yuan, in which agricultural expenses account for 15.9%, electricity expenses for 7.6%, water expenses for 1%, communication expenses for 10.8%, educational expenses for 12.1%, medical expenses for 2.9%, fuel expenses for 5.6%, non-staple food expenses for 40.8%, and other expenses for 1.5%. See Tables 3-4 and 3-5.

**Table 3-4 Household Income of Sample Population**

Item	Annual household income (yuan)					
	Agricultural income	Non-agricultural operation income	Wage income	Outside employment income	Other income	Subtotal
Average per HH (yuan)	16,534.5	7,323.5	1,736.5	48,546.5	1,359	75,500
Percent	21.9%	9.7%	2.3%	64.3%	1.8%	100.0%

**Table 3-5 Household Expenditure of Sample Population**

Item		Average per HH (yuan)	Percent
Annual household expenditure (yuan)	Agricultural expenses	8,299.8	15.9%
	Electricity expenses	3,967.2	7.6%
	Water expenses	522.0	1.0%
	Communication expenses	5,637.6	10.8%
	Educational expenses	6,316.2	12.1%
	Medical expenses	1,513.8	2.9%
	Fuel expenses	2,923.2	5.6%
	Non-staple food expenses	21,297.6	40.8%
	Home appliance and furniture expenses	939.6	1.8%
	Other	783.0	1.5%
	Subtotal	52,200	100.0%

## 3.3 Gender Analysis

47. The 15 persons affected by LA include 7 females, accounting for 47%.

48. The Subproject is classified as effective gender mainstreaming. ADB's gender and development policy is a key strategy for promoting gender equality and mainstreaming. The Chinese government also attaches great importance to gender equality and women's development and takes gender equality as a basic state policy. Gansu PMO and Ganzhou PMO have developed a social development and gender action plan (SDGAP) to protect women's rights and interests, increase women's opportunities to participate in project construction and operation, improve women's employment, and realize equal pay for equal work. See Table 3-6 for detailed gender analysis.

49. At the detail design and implementation stage, particular attention will be paid to women's needs so that they can benefit more from the subproject, such as public facilities and services, livelihood selection, skills training and employment.

**Table 3-6 Gender Analysis**

Part A—Gender analysis of rural women in the project area			
1. Legal rights of women	According to laws of the PRC, women have equal legal rights with men, though some women are not fully aware of this.		
2. Social status of women	Women of the project area have relatively good social status. All key matters of a family are determined by the couple through discussion. Men are the backbone of families and attend the important meetings of the village. However, women can influence men when they make decisions at meetings.		
3. Title to land and properties	Women have the same title as men. Like other parts of China, in the project area, when a daughter is married, her land will remain in her mother's family, and she can only share the land owned by her husband's family since the household contract responsibility system was put into practice in 1982. If land acquisition, house demolition or resettlement is involved, women will have equal rights to compensation.		
4. Right to collective properties	Women have equal rights.		
5. Living and gender role	There is no restriction on gender role. Women do housework and appropriate farm work mainly, while men mostly do farm work or work outside. Women know better the economic status of their families.		
6. Contribution to household income	Women's income is from farming and household non-agricultural operations mainly and is also part of household income. According to consultations and HH survey analysis, men's contribution to HH income is about 59% and women's contribution is about 41%.		
7. Family status	Women have an equal voice in decision-making; when men are away for work, women make decisions themselves in many aspects.		
8. Educational level	As indicated in Table 3-3, there are slight differences in educational levels between male and females in affected persons, for example, illiteracy ratio of women (only one) is 14.3%, which is higher than men (no one)). Nowadays, boys and girls enjoy equal opportunities in receiving education, and as long as children study hard, their parents would do their best to support their school education.		
9. Health	Women's health condition is quite good and there is no significant difference in nutrition level compared to men; however, medical expenses are rising and have become a significant burden for some households, and women may suffer more.		
10. Village and government agencies	Women are represented in all village committees. In addition, women enjoy good social status in the village and the village group. Women may participate in the election of the village committee and have the right to elect and be elected.		
Overall evaluation and key risks	Women enjoy a good status in the project area, and there is no restriction on gender role.		
B—Gender analysis of women during resettlement			
Gender issue	Concern/risk	Impact of the project	Mitigation measures

1. Land, properties and right to compensation	Are women deprived of land or properties or do they have no right to compensation?	Men and women have equal rights to compensation for land acquisition and resettlement. The subproject will not have any significantly adverse impact on women.	(1) Cash compensation; (2) Livelihood restoration measures
2. Production and income restoration after land acquisition	Are women affected even more seriously, and do they receive less assistance?	4 HHs with 9 persons including 5 women will be significantly affected by land acquisition. Consultation with these AHs including women concluded that (i) all AHs prefer cash compensation; and (ii) land acquisition will release the women from the land and they can get non-agricultural job opportunities.	(1) Both men and women will receive compensation fees for land acquisition; (2) At least 40% of trainees of skills training will be women; (3) at least 30% of job opportunities during construction and operation stages will be made available to women.
3. Increase of gender inequalities	Do women have a heavier burden or fewer opportunities?	The subproject will not lead to gender inequalities.	No impact
4. Social network system	Is the social network damaged?	The subproject will not affect the social network seriously.	No impact
5. Impact on health / increase of social problems	Will there be serious health or social problems due to the stress of resettlement (violence, AIDS propagation, etc.)?	The subproject will not induce such impacts.	No impact

## 4 Legal Framework and Policies

### 4.1 Relevant Policies and Regulations on Project Resettlement

50. The resettlement of the Ganzhou District Sub-project will strictly comply with the relevant laws, regulations, and policies of the People's Republic of China, Gansu Province, Zhangye City and Ganzhou District as well as ADB's safeguard policy statement, particularly the safeguard requirement 2: involuntary resettlement.

51. This resettlement plan is mainly formulated according to the following laws, regulations, and policies, including:

#### 1) Resettlement policies of Asian Development Bank

- Safeguard Policy Statement, June 2009

#### 2) Laws and regulations of the People's Republic of China

- Civil Code of the People's Republic of China, 2021
- Land Administration Law of the People's Republic of China (Decree No.41 of the President, 2019)
- Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Administration, GF[2004] No. 28
- Law of the People's Republic of China on the Contracting of Rural Land, 2019
- Notice of the State Council on Intensifying the Land Control, GF[2004] No.28
- Notice of Guidance on Employment Training and Social Security for Land-expropriated Farmer sent by the General Office of the State Council to the Ministry of Labor and Security, GF [2006] No.29
- Guidances on Improving Compensation and Resettlement Systems for Land Acquisition, GTZF [2004] No.238
- Notice on Provision of Social Security for Land-expropriated Farmers, LSBF [2007] No. 14
- Notice of the Ministry of Land and Resources on Further Implementation of Land Acquisition Management, GTZF [2010] No. 96

#### 3) Relevant policies of Gansu Province and Zhangye City

- Measures of Implementing the Land Administration Law of the People's Republic of China in Gansu Province, 2021, No. 93 of Standing Committee of the Provincial People's Congress
- Comprehensive Land Price Standard for the Acquisition of Agricultural Lands in Gansu Province, GZF [2020] No. 41
- Notice of the General Office of the People's Government of Gansu Province on Issuance of the Work Program for Confirming, Registering and Certifying Rural Land Contracted Management Right in Gansu Province
- Regulations on Supply Management of State-owned Construction Land in Gansu Province, GZGF [2020] No. 6

- The Comprehensive Land Price Standard for the Acquisition of Agricultural Lands in Zhangye City, ZZF [2020] No. 36

52. The resettlement implementation will be performed in strict accordance with the policies defined in this RP. When the final design is completed, Ganzhou PMO will carry out a detailed measurement survey on the resettlement, update and submit the RP to ADB for review and approval.

#### 4.2 ADB's Safeguard Requirements 2: Involuntary Resettlement

53. Safeguard Requirements 2: Involuntary Resettlement of ADB aims at: (1) avoid involuntary resettlement where possible; (2) explore alternatives to minimize impacts of involuntary resettlement; (3) improve or at least restore the living standard of the APs to the pre-project level; and (4) improve the living standard of the poor and other vulnerable groups.

#### 4.3 Gaps between ADB Policies and Domestic Policies and Filling-up Measures

54. The PRC has established a comprehensive legal system governing land acquisition and resettlement. New amendments to the Land Administration Law went into effect on 1 January 2020, which strengthens upfront risk management for land acquisition to better protect the interests of affected farmers (Article 47) and substantially improved the key principles on compensation for land acquisition and resettlement to secure legal rights and livelihood sustainability for affected farmers. However, there are still some disparities and gaps between the SPS and the PRC's system. The table 4-1 below presents the gaps and gap-filling measures to meet ADB SPS policy requirements.

**Table 4-1: Gaps and Gap-Filling Measures**

Gaps	Gap-filling measures
(i) lack of impact screening and categorization at the early stage of the project.	Screening has been done as early as project preparation.
(ii) no requirements for resettlement plan preparation, due diligence regarding past land acquisition, or existing facilities where lands have been acquired.	Resettlement plan has been prepared including due diligence for past land acquisition. There are no existing facilities in this subproject.
(iii) lack of identification of poor and vulnerable groups during the involuntary resettlement screening and preparation.	During screening, due diligence, and RP preparation, special attention was undertaken to identify any poor and vulnerable households. Impacts on women were carefully assessed.
(iv) compensation and resettlement assistance for affected households without recognizable legal rights to land.	Affected households without recognizable legal rights to land will be provided resettlement assistance and compensation for non-land assets. For this subproject, there are no households without recognizable legal rights to land.
(v) inadequate documentation of consultation and information disclosure activities and grievances received.	Consultations have been carried out and will continue throughout implementation. GRM has been set-up.
(vi) inadequate social and risk analysis.	Social surveys, impact measurement surveys have been carried out to identify impacts and risks and measures to avoid if not minimize impacts have been taken into

Gaps	Gap-filling measures
	consideration during FSR.
(vii) inadequate monitoring and evaluation.	Internal and external monitoring will be conducted. Monitoring reports will be prepared and submitted to ADB.

#### 4.4 Cut-off Date for Compensation and Resettlement Entitlements

55. The compensation cut-off date for the Subproject will be the announcement of land acquisition issued by Ganzhou District Government. According to the project implementation plan, the land acquisition announcement is expected to be issued in October 2022. The announcement will be posted on village bulletin boards. Any newly claimed land, newly built house or settlement in the subproject area by APs after this date will not be entitled to compensation or subsidization.

#### 4.5 Compensation and Subsidy Standards

56. According to relevant laws, regulations, and policies, and in combination with the actual social and economic situation of Zhangye City, the compensation rates for the land use of the Subproject are formulated. If the LA compensation rates are updated during the updating and implementation of this RP, such new rates will apply to the Project.

##### 4.5.1 Compensation Rates for Permanent Land Acquisition

57. The comprehensive price of land acquisition of the Subproject was formulated based on recent local practice and the requirements of the Land Administration Law of the People's Republic of China, the Measures of Implementing the Land Administration Law of the People's Republic of China in Gansu Province and the Comprehensive Land Price Standard for the Acquisition of farmlands in Zhangye City.

58. Ganjun Town, where cultivated land will be acquired, is classified as Class IV area. The comprehensive land price of the acquisition of farmlands is CNY 45,311/mu; the compensation rate for standing crops is CNY 2,400/mu. The compensation rates for land acquisition are shown in Table 4-2.

**Table 4-2 Compensation Rates for Land Acquisition**

S/N	Village	Compensation Rate (CNY/mu)	
		Cultivated land	
		Land acquisition standard (CNY/mu)	Standing crops compensation (CNY/mu)
1	Ganjun Village, Ganjun Town	45,311	2,400

59. According to on-site investigation, the cultivated land in the project area is mainly planted with wheat, corn and potato, with an average annual output value of about CNY 1,600 yuan/mu, and the net output value of around CNY 850 yuan/mu. As a result, the land acquisition compensation will be at least 53 times of the net output value of the cultivated land in affected village. Therefore, the compensation standard meets the principle of full replacement cost.

60. Provision of basic pension insurance is an additional support for farmers that is detailed in Section 5.2.4.

### 4.5.2 Compensation for Occupation of State-owned Land

61. The state-owned land to be occupied by Ganzhou Sub-project is unutilized land and vacant, which will not affect any persons and units. The Subproject will obtain the the use right of state-owned land through allocation at no cost except for payment of local government administration fees.

### 4.5.3 Other costs

62. Other costs include relevant taxes and fees for land acquisition, subsidy for endowment insurance for land expropriated farmers, survey and design fee, resettlement M&E fee, implementation management fee, and contingencies, etc. These costs will be shouldered by the Subproject. See Table 4-3 for the rates of other costs.

**Table 4-3 Other Costs**

S/N	Cost Description	Land Acquisition Rate	Basis
1	Cultivated land reclamation fee	CNY 13,340/mu	
2	Tax of the occupancy of cultivated land	CNY 5334/mu	
3	Subsidy for endowment insurance for land expropriated farmers <sup>②</sup>	CNY 42,823/person	Implementation Measures for Land-expropriated Farmers in Gansu Province to Participate in Basic Pension Insurance (2018) and Implementation Plan for Land-expropriated Farmers in Zhangye City to Participate in Basic Pension Insurance (2018)
4	Survey and design cost	1.5% of basic resettlement expenses	According to the actual situation of the Project and referring to similar projects
5	Resettlement monitoring fee	5% of basic resettlement expenses	According to the actual situation of the Project and referring to similar projects
6	Implementation management cost	5% of basic resettlement expenses	According to the actual situation of the Project and referring to similar projects
7	Training cost	3% of basic resettlement expenses	According to the actual situation of the Project and referring to similar projects
8	Contingencies	5% of basic resettlement expenses	According to the actual situation of the Project and referring to similar projects

## 4.6 Entitlement Matrix

63. The entitlement matrix is established in accordance with the relevant policies of this chapter, and will be updated during RP updating, as detailed in Table 4-4.

<sup>②</sup> Calculated by multiplying the average annual salary of the on-the-job employees in the whole province in the last year (CNY 93225/person in Gansu Province in 2021) by the land acquisition proportion (0.459), i.e.,  $93225 \times 0.459 = \text{CNY } 42823$ .



**Table 4-4 Entitlement Matrix**

Type of loss	Degree of Impact	Eligible Person	Entitlements	Compensation policies/standards
Permanently acquired rural collectively owned land	Acquisition of 35.6 mu collectively owned cultivated land, affecting Ganjun Village, Ganjun Town	7 households and 15 persons in Ganjun Village will be affected.	<ul style="list-style-type: none"> <li>• Compensation will be based on full replacement cost.</li> <li>• Additional support as per government regulations will be provided. All 15 affected persons (above 16 years old) can receive subsidies of the endowment insurance for land-expropriated farmers.</li> <li>• Other livelihood support opportunities will be provided during RP implementation, e.g. skills training, employment assistance and agriculture development measures.</li> </ul>	Land acquisition Compensation standard: CNY 45,311/mu Compensation for standing crops: CNY 2,400/mu; subsidy for endowment insurance of land-expropriated farmers: CNY 42,823 per capita
Permanent occupation of state-owned land	Land: 1651.18 mu, including 51.18 mu state-owned construction land and 1600 mu state-owned unutilized land	No person or unit to be affected	/	Allocation at no cost except for payment of local government administration fees

## 5 Resettlement and Income Restoration

### 5.1 Objective and Principle of Resettlement

64. The objective of resettlement of the Subproject is to develop a resettlement action plan for the project-affected people, so as to ensure that they benefit from the Subproject and improve their living standards, or at least recover their living standards after the completion of the Subproject.

### 5.2 Income and Livelihood Restoration Measures

65. During resettlement impact survey, Ganzhou PMO developed different livelihood restoration programs through full consultation with the village committees and affected 7 households, especially for the 4 households with 9 persons who will lose income of 10%~20%. All affected households requested cash compensation without land adjustment.

66. The livelihood restoration measures of the resettlement mainly include: 1) cash compensation, 2) priority in employment opportunities and training; 3) subsidy for the basic endowment insurance for land-expropriated farmers.

#### 5.2.1 Cash compensation

67. After receiving LA compensation, APs may invest in operating business, planting and breeding industries, and skills learning, among others. If the APs deposit the compensation in the bank, the interest is higher than the net annual output value. This is no risk in this investment.

**Table 5-1 Interest from depositing in the bank**

Land type	Land compensation (CNY/mu)	Bank annual interest rate (2.75%, 3 years rate)	Net annual output value (CNY/mu)	Subplus (CNY/mu)
Cultivated land	45311	1,246	850	396

#### 5.2.2 Skill Trainings

68. CNY 70,000 from local Human Resources and Social Security Bureau will be arranged for skill trainings, which includes agricultural technical training, pre-employment training, and vocational skills training.

69. The agricultural technology training mainly consists of green organic vegetable planting, storage, transportation and processing, economic afforestation, green farm management, new energy-saving agricultural planting and breeding technology, etc.

70. The pre-employment training mainly consists of relevant national employment situations, employment policies, protection of laborers' rights and interests, and professional ethics training.

71. The vocational skills training will be provided irregularly according to the job requirements, mainly non-agricultural technical training.
72. Among the 480 trainees, 205 will be women.

**Table 5-2 Skill Training Plan**

S/N	Training Delivery Institution	Training Contents	Trainees	Training Time	Number of Trainees	Training Fund (CNY 10,000)
1	Ganzhou PMO will entrust trainings to Ganzhou District Human Resources and Social Security Bureau, Agriculture and Rural Affairs Bureau, Women's Federation, etc.	Green organic vegetable planting and storage	Villagers in Ganjun Village and Xiaoquan Village, Ganjun Town, including affected households	2023-2024	80, including 25 women	1
2	Ganzhou PMO will entrust trainings to Ganzhou District Human Resources and Social Security Bureau, Agriculture and Rural Affairs Bureau, Women's Federation, etc.	Agricultural breeding technology (sheep raising, cattle raising, etc.)	Villagers in Ganjun Village and Xiaoquan Village, Ganjun Town, including affected households	2023-2025	100, including 35 women	1.5
3	Ganzhou PMO will entrust trainings to Ganzhou District Human Resources and Social Security Bureau, Agriculture and Rural Affairs Bureau, Women's Federation, etc.	Economic afforestation, new energy-saving agricultural planting	Villagers in Ganjun Village and Xiaoquan Village, Ganjun Town, including affected households	2023-2025	100, including 35 women	1.5
3	Ganzhou PMO will entrust trainings to Ganzhou District Human Resources and Social Security Bureau, Women's Federation, etc.	New industrial and new skills such as electrician, electric welding, mechanical operation, automobile driving, craft processing, electrical appliance repair, computer maintenance, and other skills	Labor force in Ganjun Village and Xiaoquan Village, including affected households	2024-2026	100, including 20 women	1
4	Ganzhou PMO will entrust trainings to Ganzhou District and County Human Resources and Social Security Bureau, Women's Federation, etc.	Hotel management, tourism service, catering service, etc.	Labor force in Ganjun Village and Xiaoquan Village, including affected households	2025-2027	50 women	1
5	Ganzhou PMO will entrust trainings to Ganzhou District Human Resources and Social Security Bureau, Women's Federation, etc.	New information industries such as e-commerce and live-streaming	Labor force in Ganjun Village and Xiaoquan Village, including affected households	2025-2027	50, including 40 women	1

### **5.2.3 Measures of Employment Assistance**

73. The Subproject is expected to create about 1,334 jobs during the construction and about 599 jobs during the operation. Posts will include workers, facilities and equipment management and maintenance personnel, security personnel, cleaning personnel, and other auxiliary personnel on construction sites. The monthly income will be more than CNY 3,000 per capita. In the process of personnel employment, priority will be given to the households affected by land acquisition, especially the 4 significantly affected HHs. In addition, the affected persons can get more income by providing raw materials and services during the project construction. For example, some affected persons may provide their houses to civil work contractors as offices or accommodation for construction workers; open grocery stores to provide food, water, and other living supplies for construction personnel; or provide construction materials, accessories, and transportation services.

74. Meanwhile, with the rapid economic and social development of Ganjun Town in recent years, more and more enterprises are attracted for investment there, thus creating many skilled and unskilled jobs. To implement the above employment aid measures, Ganzhou PMO will coordinate with the local Human Resources and Social Security Bureau to assist the affected persons in following ways: (i) information collection on labor demand and supply; (ii) disclosure of labor employment information among affected villagers; and (iii) employment-related assistance to be provided to APs during RP implementation.

75. This Subproject is a combination of ecological construction and rural industrial development. It will be built into an ecologically livable beautiful countryside, which will promote the faster development of green organic vegetables and commercial forest plantation, agricultural culture and product processing rural experience tourism, leisure and sightseeing agriculture, rural catering, etc. It can provide many jobs and promote local farmers to set up various agricultural professional cooperative organizations, social undertakings, or engage in self-employment.

### **5.2.4 Endowment Insurance**

76. According to the Land Administration Law of the People's Republic of China (2019), the Land Acquisition Procedure of Gansu Province (GZGF [2021] No. 3), the Implementation Measures for Land-expropriated Farmers in Gansu Province to Participate in Basic Pension Insurance (GZF [2018] No. 18), the Notice of Zhangye Government Office on Printing and Distributing the Implementation Plan for Land-expropriated Farmers in Zhangye City to Participate in Basic Endowment Insurance (ZZZBF [2018] No. 177) and the actual practice of land acquisition in Ganzhou District, the land-expropriated farmers can enjoy corresponding endowment insurance subsidies. The subsidy for land-expropriated farmers to participate in basic endowment insurance is calculated as follows: the provincial annual average salary of on-the-job employees in the previous year (CNY 93,225 per capita in Gansu Province in 2021) is multiplied by the proportion of land acquisition which is land acquirer (mu) this time divided by the contracted land (mu). According to the policies, the basic endowment insurance subsidy is for people over the age of 16. All 15 affected persons of the Subproject will enjoy the subsidy for the basic endowment insurance subsidies for farmers whose land is expropriated. The subsidy is about CNY 42,823 per capita. This will be further verified based on preliminary design and detailed measurement survey.

## **5.3 Support Measures for Women's Development**

77. The following support measures will be implemented to fully protect the rights and interests of women in the project affected areas during project and RP implementation. Relevant measures have been put in place to support women's development, including:

- i) Employment opportunities for women in project construction and operation: according to the estimation of Ganzhou PMO, the Subproject will provide lots of employment to APs, and the suitable job opportunities will be given to women in priority. 30% of job created by the Subproject will be provided to women.
- ii) Agricultural skills training based on women's needs. Ganzhou PMO will pay attention to the needs of women to be trained and employed in the local area, and work with human resources and social security agencies of Ganjun Town to collect information on women's training needs, giving priority to providing women with corresponding skills training, such as organizing special training courses for women.
- iii) Women's preferential access to small loans According to the relevant policies of the local Women's Federation (WF), if local women wish to start their own businesses by themselves or with others, the WF will cooperate with the financial departments and local banks to provide financial support. Women can apply for small loans through WF for businesses startup, such as clothing, handicrafts, and catering. WF will also provide women with guidance to start up their business.

78. In addition to the above support, other income and livelihood restoration measures designed in this resettlement plan will also apply to women.

## **6 Institutional Arrangements**

### **6.1 Resettlement Implementation and Management Organizations**

#### **6.1.1 Organization Structure**

79. In order to ensure the smooth implementation of land acquisition and resettlement and achieve the expected objectives, Gansu Provincial Government has set up a project leading team for the Gansu Environmentally Sustainable Rural Revitalization and Development Project, who is mainly responsible for overall leading and decision making on project preparation and implementation coordination. The Provincial Project Management Office (Gansu PMO) is set in the Gansu Culture Tourism Group Co., Ltd., the Executive Agency (EA), who is mainly responsible for the preparation, organization, and coordination, implementation, and management of the Project. Gansu PMO has assigned focal persons for land acquisition and resettlement activities.

80. Meanwhile, the Ganzhou District Government of Zhangye City has set up a leading group (Ganzhou PLG) that is composed of the leaders of the Administrative Committee of the National Zhangye Economic and Technological Development Zone, the Housing and Urban Construction Bureau, Wetland Bureau, Forestry and Grassland Administration, the Ganzhou Branch of the Municipal Ecological Environment Bureau, the District Development and Reform Bureau, the District Finance Bureau, the District Agriculture and Rural Affairs Bureau, the Ganzhou Modern Agricultural Development and Investment Co., Ltd., the Ganzhou Branch of the Municipal Natural Resources Bureau, the District Finance Bureau, the District Agriculture and Rural Affairs Bureau, the District Forestry and Grassland Administration, Ganjun Town, etc.. Ganzhou PMO is set up in the District Finance Bureau and is mainly responsible for project preparation, organization and coordination, implementation and management of the Subproject. In Ganzhou PMO, four staff have been assigned for land acquisition and resettlement.

81. Ganzhou PMO will take responsibilities for the resettlement affairs, organization, coordination, implementation and management with Ganzhou District Natural Resources Bureau, Ganjun Town Government, Ganjun Village Committee and Xiaoquan Village Committee. In general, the organizations involved in economic resettlement for land acquisition for the Project include:

- Gansu PMO
- Ganzhou PMO
- Ganzhou District Natural Resources Bureau
- Ganjun Town Government
- Affected Villages
- External monitoring agencies of resettlement

#### **6.1.2 Responsibilities of Organizations**

82. Specific institutional arrangement for implementation of LURTF is presented in **Appendix 3**.

##### **i) Gansu PPMO**

83. Gansu PMO under the Project Leading Group: directing, coordinating and supervising project preparation and implementation, including RP implementation and LURTF implementation :

- Organizing project preparation and ADB loan application;
- Coordinating, managing, supervising and directing project implementation;
- Entrusting the Design Institute to define the scope of impact of the project and investigate the physical measurement data affected by LAR;
- Organizing and coordinating the preparation and implementation of the Resettlement Plans;
- Guiding, coordinating, and supervising the resettlement implementation activities and progress;
- Managing and inspecting the internal monitoring activities, and preparing the project progress reports on LAR; and
- Entrusting external monitoring agencies and assisting relevant external monitoring and evaluation activities.

## ii) **Ganzhou PMO**

84. The Ganzhou PMO will be responsible for following tasks:

- Coordinating, managing and supervising project and resettlement implementation;
- Coordinating, managing and supervising implementation of LURTF;
- Reporting implementation progress to PPMO and ADB;
- Preparing, updating and disclosing this RP;
- Coordinating and supporting TA, fieldwork and training;
- Supervising and coordinating LAR;
- Conducting the DMS;
- Conducting public participation and consultation;
- Coordinating and supervising land use agreement signing, and compensation payment;
- Coordinating and supervising livelihood restoration measures;
- Conducting internal monitoring;
- Submitting internal monitoring reports to PPMO;
- Handling, coordinating and supervising grievance redress

## iii) **iv) County / district natural resources bureaus**

- Conducting preliminary land examination;
- Going through land use procedures;
- Communicating LAR policies;
- Conducting public participation and consultation, and holding a public hearing when necessary;
- Conducting LA, land use, compensation and resettlement according to the RP approved by ADB;
- Signing LAR agreements with AHs, paying compensation, and reporting to the PMO and contractors for record;
- Handling grievances;
- Participating in internal monitoring

## iv) **Governments of Affected towns**

85. Their main responsibilities on LAR related activities are:

- Assisting in communicating LAR policies;
- Assisting in public participation and consultation;
- Assisting in LA, compensation and resettlement;
- Assisting in signing LAR agreements with AHs, and supervising compensation payment;



- Participating in implementation of LURTF;
- Participating in grievance redress;
- Participating in internal monitoring

**v) Village committees**

86. Their responsibilities on LAR related activities are:
- Assisting in the DMS and socioeconomic survey;
  - Assisting in public participation and consultation, and communicating LAR policies;
  - implementation of LURTF;
  - Assisting in agricultural and nonagricultural resettlement activities;
  - Assisting in disbursing compensation to the AHs;
  - Participating in grievance redress;
  - Reporting opinions and suggestions to superior authorities;
  - Assisting in internal and external monitoring

**vi) Design Institute**

87. Design institute will be responsible for:
- Reducing the impact of project resettlement through optimized design; and
  - Determining the scope of impact of land acquisition and demolition

**vii) External monitoring agency**

- Conducting external M&E on implementation of RP and LURTF, submitting semiannual external M&E reports to the GPMO, PMO and ADB on schedule; preparing and submitting a completion and evaluation report. Details of tasks and indicators are presented in Section 10 of this RP.

## **6.2 Staffing and Facilities**

### **6.2.1 Staffing**

88. To ensure the smooth implementation of RP, the resettlement agencies of the Subproject at all levels are equipped with special staff. The resettlement agencies at all levels are mainly composed of administrative management personnel and professional technical personnel, with personnel ranging from 1 to 8, all of whom have certain professional level and management quality, and have considerable experience in LAR.

See Table 6-1 for the staffing of resettlement agencies for the Subproject.

**Table6-1 Staffing of Resettlement Agencies**

<b>Names of Agencies</b>	<b>Staffing</b>	<b>Personnel Composition</b>
Gansu PMO	5-8	Staff members of the Management Office of the International Financial Organization Loan Project of Gansu Culture Tourism Group
Ganzhou PMO	3-6	Foreign Loan Office of Ganzhou District Finance Bureau

Names of Agencies	Staffing	Personnel Composition
Ganzhou District Land and Resources Bureau	2-4	Staff members of the Land and Resources Bureau
Ganjun Town	2~5	Personnel of town and township government and relevant departments
Village Committee and Village Groups	2~5	Relevant village cadres and resettlement representatives affected by the Subproject
External monitoring agency	4	Resettlement and social experts

### 6.2.2 Facilities

89. Resettlement agencies of the Project at all levels can use the existing resources and have been equipped with basic office equipment, transportation equipment, and communication equipment, including office tables and chairs, computers, printers, telephones, fax machines, transport, and other equipment resources.

## 6.3 Capacity Building

90. Key staff for RP implementation and monitoring will be trained by the Gansu PMO and Ganzhou PMO, with assistance of resettlement experts.

91. During the project preparation period, the resettlement experts of the ADB TRTA team have provided training on ADB's Safeguard Policy Statement (SPS), especially relevant requirements on involuntary resettlement and PRC's Laws and regulations on land acquisition and LURT, for the personnel of Gansu PMO, project City and County PMOs, the Natural Resources Bureau, the town governments and other related organizations. In addition, consultation meetings were conducted by resettlement experts to discuss with relevant agencies and personnel the key elements of the RP, such as socio-economic analysis, compensation policies and rates, livelihood rehabilitation measures and implementation arrangements, grievance redress mechanism, and internal and external monitoring. The key staff of Ganzhou PMO, including those who will be responsible for the implementation of the RP, participated in these trainings and meetings.

92. The key staff of Ganzhou PMO, including those who will be responsible for the implementation of the RP and LURTF, participated in these trainings and meetings. However, most of the staff are only familiar with the laws and regulations on LAR of RPC and have some experience in LAR in domestic projects. This is their first participation in the preparation and implementation of ADB-funded project, which will have more requirements for the implementation of resettlement (see Table 4-2 for details). In addition, changes in human resources may happen during the implementation of the Subproject and the RP. Therefore, more training is planned for the Subproject on RP implementation, management, coordination, monitoring, and reporting, so as to improve the capacity of relevant agencies and their staff.

93. Training Objectives. Specific objectives of the staff training:

- Management personnel for LAR – the senior management personnel for project management will undergo training on LAR, so that they can fully understand the relevant requirements of the ADB's resettlement policy and the implementation of the RP, and undertake publicizing and

popularizing these knowledge and requirements to all personnel involved in LAR activities of the Subproject.

- Staff for LAR – they will undergo training to understand the content and specific requirements of the RP of the Project and familiarize themselves with the details of the resettlement policy and restoration measures to ensure the smooth implementation of LAR activities.

94. Training mode: the training of senior management personnel will be organized by the Gansu PMO, and the resettlement experts in the project implementation consultation team and government officials of relevant authorities will be invited to provide training; the training of resettlement staff of the Subproject will be organized by Ganzhou PMO.

95. Training content: including project overview and background, laws, regulations and policies related to land acquisition (use) and resettlement, specific content and requirements of the RP and LURTF of the Subproject, management and coordination of LAR, reporting procedures, financial management, monitoring and evaluation, and grievance redress mechanisms.

96. Training duration: within 1 month before the commencement of land acquisition (use) and resettlement activities.

97. Training budget: the training expenses for resettlement staff have been incorporated in the resettlement budget of the Subproject.

**Table 6-2 Training Plan for Resettlement Staff**

S/N	Responsible Training Institution	Training Contents	Trainees	Training Plan Time
	A	B	C	D
1	Gansu PMO	ADB's SPS (2009)	Staff of Gansu Province Project Management Office and Municipal and County Project Management Offices	October 2021, completed
2	Gansu PMO and Ganzhou PMO	Experience exchange and sharing in resettlement of similar ADB projects in Gansu; implementation of LURTF	Resettlement staff of all organizations and townships	2022-2025
3	Gansu PMO and Ganzhou PMO	ADB's SPS (2009) and relevant requirements, and good practices; and implementation of LURTF	Resettlement staff of all organizations and townships	2022-2025
4	Gansu PMO and Ganzhou PMO	Latest updates in national laws, regulations and policies on land acquisition and resettlement, and implementation of LURTF	Resettlement staff of all organizations and townships	2022-2025
5	Gansu PMO and Ganzhou PMO	Learn the experience in resettlement fund	Resettlement staff of all organizations and townships	2022-2025

S/N	Responsible Training Institution	Training Contents	Trainees	Training Plan Time
	A	B	C	D
		management of similar projects		
6	Gansu PMO and Ganzhou PMO	Computer operation and data processing related to LAR activities	Resettlement staff of all organizations and townships	2022-2025
7	Project management Consultants during the implementation phase	Resettlement procedures and policies for ADB projects, and implementation of LURTF	Resettlement staff of all organizations and townships	2022-2025

## **7 Information Disclosure, Public Consultation and Grievance Redress Mechanism**

### **7.1 Information Disclosure and Public Participation**

98. According to the relevant policies and regulations on land acquisition and resettlement of the State, Gansu Province, Ganzhou District and the ADB, the public participation during project preparation and implementation is necessary to safeguard the legitimate rights and interests of the affected persons and units, reduce dissatisfaction and disputes, listen to the opinions and suggestions of affected persons, further formulate the relevant policies and implementation rules for land acquisition and resettlement of the Subproject, prepare the resettlement plan, properly perform the work related to the implementation organization, and achieve the goal of proper resettlement.

#### **7.1.1 Information Disclosure and Public Participation during Project Preparation**

99. During the investigation and resettlement planning, Ganzhou PMO held discussions with local government authorities, cadres of townships, villages and villagers in the project area to communicate and consult with them on the necessity of project construction, project content, design scheme, villagers' willingness and compensation standards, and listen to their opinions, needs and suggestions. See Table 7-1 for summary of public participation activities conducted during project preparation. Detailed information disclosure and public participation activities conducted during project preparation for LURT is presented in Annex 3. A detailed record of public participation is shown in Annex 4.

**Table 7-1 Summary of Public Consultation and Participation Conducted during Project Preparation**

Unit	Date	Participant	Number of persons	Purpose	Main comments/content	Response Measures Taken in Design and/or RP
Ganjun Town Government	2021.3.21	Feasibility Study Organization, Ganzhou District Finance Bureau, Agriculture and Rural Affairs Bureau, Natural Resources Bureau, Ganzhou PMO, cadres and relevant personnel of Ganjun Town, Ganjun Village, and Xiaoquan Village	19 (9 women)	Discussion of the project site selection, project design scheme, and project construction contents	the project site, construction contents, construction scale, and construction scheme were proposed, and the participants expressed their support to the Subproject	/
Ganzhou PMO	2021.12.9	ADB TrTA Consultant, Ganzhou PMO, Ganzhou District Land and Resources Bureau, agriculture and Rural Affairs Bureau, Ganjun Town Cadres and Relevant Personnel	21(11 women)	Project feasibility site study, inspection, preliminary investigation of project impacts	the background and purpose of the Subproject were introduced. The participants suggested to optimize the project site selection and minimize the cultivated land for project construction. if land will be acquired, the latest land acquisition policies should be adopted.	the participants were informed of that the sites would be compared to reduce land acquisition, and the latest policies and practice will be included by the RP.
Ganjun Town, Ganjun Village and Xiaoquan Village	2022.2.21	ADB's resettlement experts, resettlement plan preparation organization, Ganzhou PM, Ganjun Town, and cadres of village committees and villagers of villages involved	60(30 women)	Site survey, preliminary investigation of resettlement impacts, preparation of resettlement plan, and socio-economic investigation	During the interview and socio-economic survey and resettlement household survey, the concerns of women and man regarding LA were the same, which are 1) adequate and timely compensation payment,	Timely provision of payment at replacement cost and livelihood support and opportunities were explained to participants, and the said restoration

Unit	Date	Participant	Number of persons	Purpose	Main comments/content	Response Measures Taken in Design and/or RP
					2) job opportunities, and 3) trainings. Women also expressed that the salary should be same if the same work is done.	measures are now incorporated in the RP. Equal pay for equal work will be ensured.
Ganjun Village and Xiaoquan Village	2022.2.29	Ganzhou PMO, Ganzhou District Land and Resources Bureau, Ganjun Town, and cadres and villagers of village committees involved	12(6 women)	Discussions on compensation policies and rates for land acquisition and ground attachments to finalize resettlement compensation schemes.	The compensation rates should comply with the latest of Qinzhou District. the preferred restoration measures were i) cash compensation, ii) endowment insurance, iii) job opportunities, and iv) trainings.	the concerns of the participants were integrated into the draft RP.

Figure 7-1 Discussion and Interview with Key Informants



Figure 7-2 On-site Project Investigation with Ganzhou District Natural Resources Bureau, Ganzhou District Project Management Office, etc.





### 7.1.2 Public Consultation and Participation Plan during Implementation Period

100. During the implementation of the Subproject and RP, Ganzhou PMO will continue further related public consultation and participation activities. Refer to Table 7-2 for the details of the arrangement of public participation.

**Table 7-2 Public Consultation and Participation Plan of the Subproject**

Purpose	Mode	Date	Unit	Participants	Topics
Distribution of resettlement information booklets	Village committee news bulletin board and villager meeting	June 2022	Ganzhou PMO, Ganzhou Natural Resources Bureau, Ganjun town government	All project-affected parties	Announcement of resettlement information booklets
Notice of land acquisition	Village committee news bulletin board and villager meeting	Oct 2022	Ganzhou PMO, Ganzhou Natural Resources Bureau, Ganjun town government	All project-affected parties	Announcement of acquired land area, compensation standard and resettlement approaches
Announcement of plan for land acquisition, compensation and resettlement	Village committee news bulletin board and villager meeting	Nov 2022	Ganzhou PMO, Ganzhou Natural Resources Bureau, Ganjun town government	All project-affected parties	Compensation and payment method
Resettlement impact verification	Field investigation	Dec 2022	Ganzhou PMO, Ganzhou Natural Resources Bureau, Ganjun town government	All project-affected parties	Make-up of missing items, and confirming the final impact quantity Preparation of compensation agreement and basic contract
Determination of the income and livelihood restoration measures and implementation arrangements	Villager meetings	Dec 2022	Ganzhou PMO, Ganzhou Natural Resources Bureau, Ganjun town government	All project-affected parties	Discussion of the final income restoration plan and the plan for use of compensation funds
Skills training plan	Villager meeting	Dec 2022	Ganzhou PMO, Ganzhou Agricultural and Rural Affairs Bureau, Ganjun Town Government	All project-affected parties	Discussion of training needs
External monitoring on resettlement	Villagers' participation in meetings	Form Dec 2022	Ganzhou PMO, Ganzhou Natural Resources Bureau, Ganjun town government and external monitoring agencies for resettlement	All project-affected parties	1) Progress of resettlement and corresponding impacts 2) Payment of compensation 3) Disclosure of information

Purpose	Mode	Date	Unit	Participants	Topics
					4) Restoration of production and living

## 7.2 Grievance Redress Mechanism

101. During the preparation and implementation of the resettlement plan, the public participation will be encouraged, so there will be no major complaint on RP implementation. However, some unforeseen issues will still occur in the whole process. To effectively address these issues, and ensure successful land acquisition and project construction, transparent and effective grievance channels shall be established for the Subproject, and they shall remain effective during the whole resettlement process.

### 7.2.1 Complaint and Grievance Channels

102. During RP preparation, a sound grievance redress system has been presented in the project area, and the details are as follows:

- i) Both Ganzhou District and Gansu Province have offices for accepting APs' petitions, which can receive, investigate and handle general grievances from affected villages and persons; and
- ii) Legal departments, such as administrative supervision department, auditing department, discipline inspection department, judicial department and procuratorial department at state, provincial and municipal levels may accept cases of violations of laws and disciplines related to resettlement grievances.

### 7.2.2 Complaint and Grievance Procedures

103. Furthermore, a project-specific grievance redress mechanism (GRM) has been established since RP preparation to ensure that the concerns and opinions of affected persons on the Subproject can be handled and replied in a timely manner. The details are as follows:

- i) **Stage 1** If the affected persons suffer any right infringement in any aspect of LAR, they can report to village committee. After receiving the grievance, the village committee will record it, and investigate and solve it along with the displaced persons within 2 weeks.
- ii) **Stage 2** If the petitioner is dissatisfied with the decision of Stage 1, he/she may appeal to the town/township government after receiving the decision, and the decision to deal with the grievance shall be made within 2 weeks after acceptance.
- iii) **Stage 3** If the petitioner is dissatisfied with the decision of Stage 2, he/she may appeal to Ganzhou PMO after receiving the decision, and the decision to deal with the grievance shall be made within 2 weeks after acceptance.
- iv) **Stage 4** If the petitioner is dissatisfied with the decision of Stage 3, he/she may appeal to the Gansu PMO after receiving the decision, and the decision to deal with the grievance shall be made within 2 weeks after acceptance.

104. In addition, according to the Administrative Litigation Law of the People's Republic of China, the affected persons may appeal to the administrative organ with jurisdiction level by level for arbitration. At any stage, the affected persons may take their cases to the local courts in accordance with applicable laws and regulations of RPC.

105. Affected person can also submit complaints to ADB which will first be handled by the ADB project team. If the affected person is still unsatisfied and believes that he/she has been harmed due to a violation of ADB safeguard policy, he/she may submit a complaint to ADB's Accountability Mechanism<sup>③</sup>

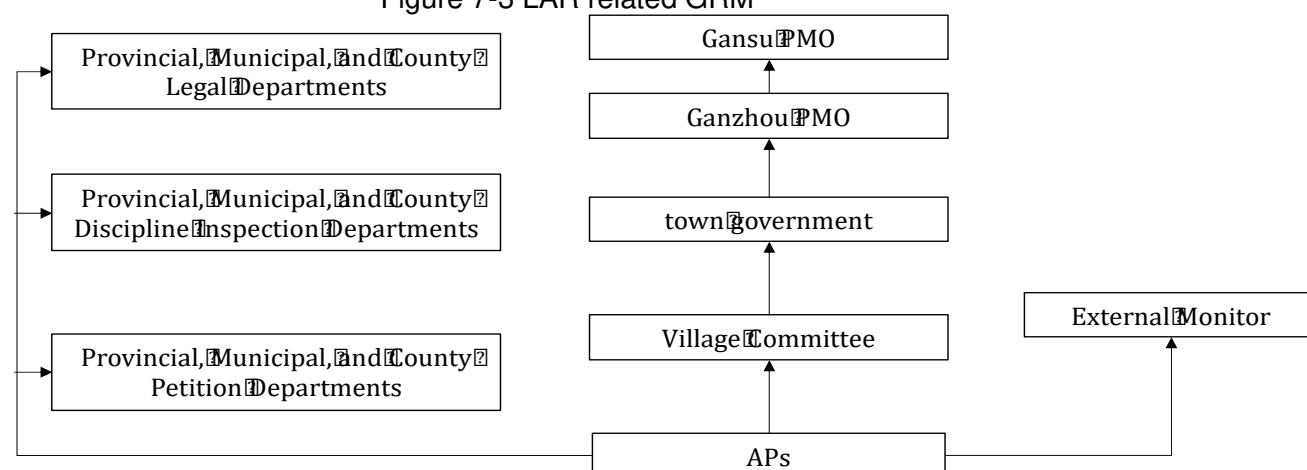
106. Affected persons can lodge grievances against any aspect of the resettlement, including compensation standards. The names, locations, persons in charge and telephone numbers of accepting institutions for the above-mentioned grievance channels will be informed to the affected persons through meetings, announcements and information booklets, so that the displaced persons can fully understand that they have the right for grievance. Meanwhile, mass media will be used to strengthen publicizing and reporting, and comments and suggestions from all parties for the resettlement will be sorted out and presented in items of information to be investigated and handled by resettlement organizations at all levels. All organizations will accept the grievances of the affected persons free of charge, and the reasonable expenses incurred therefrom will be included in the contingencies of the Project.

107. To completely record the grievances of the affected persons and the handling of relevant issues, the Yongchang Project Management Office has formulated a registration form of handling of grievances of the affected persons. The form is shown in Table 7-3. See Figure 7-3 for details of the resettlement grievance system.

**Table 73 Registration Form of LAR Related Grievances**

Undertaker:		Date:		Place:	
Name of appellant	Appel issue	Required solution		Proposed solution	Actual handling progress
Appellant (signature)				Recorder (signature)	
Notes: 1. The recorder shall truthfully record the grievance issue and demands of the petitioner. 2. The grievance process shall not be interfered with or hindered by anyone. 3. The proposed solution shall be given to the petitioner within the specified time.					

**Figure 7-3 LAR related GRM**



<sup>③</sup> For further information, see: <https://www.adb.org/who-we-are/accountability-mechanism/main>

### 7.2.3 Contact for Grievance

108. To facilitate the affected persons to raise their grievances (if any) in a timely manner, contact persons and the contact information have been disclosed in project areas, as shown in Table 7-4.

**Table 7-4 List of Project Contact Persons for GRM**

<b>Department</b>	<b>Person in Charge</b>	<b>Post</b>	<b>Tel.</b>
Gansu PMO	Gao Jing	Director of Project Management Office	18893168006
Ganzhou District Finance Bureau	Chen Xian	Deputy Director of Ganzhou District Finance Bureau	18909364330
Ganzhou PMO	Fu Xueyi	Director of Foreign Loan Office of Finance Bureau	13993691055
People's Government of Ganjun Town	Tao Jiansheng	Deputy Town Chief	13830663853
Ganjun Village Committee	Ning Keqing	Secretary	18793631578
Xiaoquan Village Committee	Li Fumin	Secretary	13399361691

## 8 Resettlement Budget

### 8.1 Resettlement Budget Estimate

109. The costs for land acquisition and resettlement shall be included in the total budget of the Subproject. According to the price in 2022, the total budget of land acquisition and resettlement is estimated at CNY 3.48 million, which consists of resettlement survey and design fee, cultivated land reclamation fee, cultivated land occupation taxes, resettlement monitoring fee, administrative fee, training expenses, subsidy for endowment insurance of land expropriated farmers and contingencies, etc. See details in Table 8-1 for the estimate of resettlement budget.

**Table 8-1 Estimated Land Acquisition and Resettlement Cost**

S/N	Project	Ganjun Village			Proportion (%)
		Standard (CNY/mu per capita)	Quantity (mu or per capita)	Costs (CNY)	
<b>I</b>	<b>Land acquisition and circulation</b>			<b>1,698,512</b>	<b>49</b>
1	Compensation for Land Acquisition	47711	35.6	1698512	
<b>II</b>	<b>Other costs</b>			<b>1,782,722.36</b>	<b>51</b>
1	Cultivated land reclamation fees	13340	35.6	474904	
2	Tax on the occupancy of cultivated land	5334	35.6	189890	
3	Subsidy for insurance endowment for Land Expropriated Farmers	42823	15	642345	
4	Survey and design fee	5%		84925.6	
5	Resettlement monitoring fee	5%		84925.6	
6	Administrative fee	5%		84925.6	
7	Resettlement staff training fee	5%		84925.6	
8	Contingencies	8%		135880.96	
	<b>Total</b>			<b>3,481,234.36</b>	

### 8.2 Management and Allocation of Land Acquisition Funds

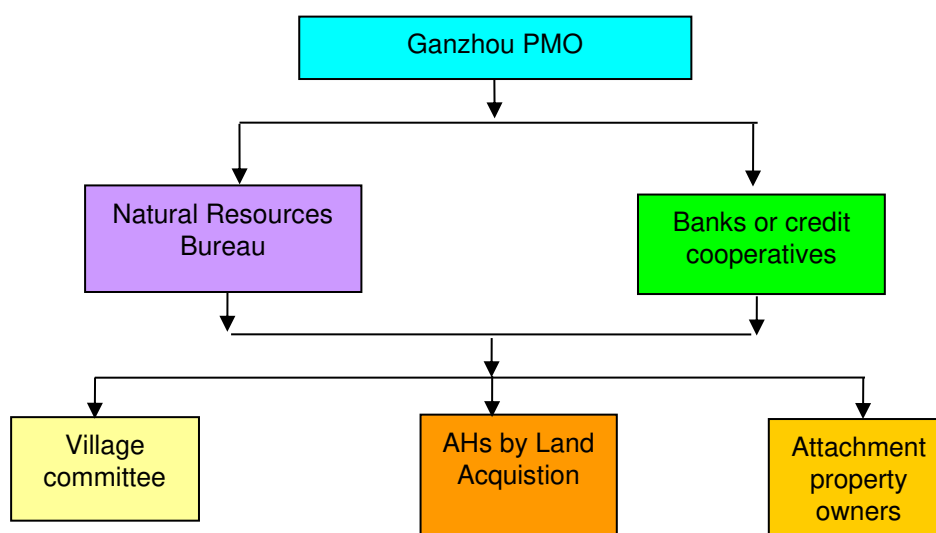
110. As for the compensation for all the land contracted by individuals, Ganzhou PMO and Ganzhou District Natural Resources Bureau will entrust Ganjun Town or Village Committee (Party A to the Contract) to sign a land acquisition compensation agreement with the affected person (Party B to the Contract), the deposit bank will pay the compensation to affected households through their bank accounts on behalf of Party A. The affected persons can receive the land acquisition compensation from the

bank by virtue payment notice and personal ID card.

111. For the endowment insurance subsidy, after the land acquisition approval, the Natural Resources Bureau of Ganzhou District, in conjunction with the Ganzhou Human Resources and Social Security Bureau, will calculate the subsidy funds, and then submit to the Financial Bureau of Ganzhou District. After approval, the later will transfer the social security subsidy funds into the individual pension account of the land expropriated farmers.

112. The appropriation of compensation payment will be subject to supervision and auditing of Gansu Provincial Audit Bureau and Zhangye Municipal Audit Bureau. All expenses related to land acquisition and resettlement will be included in the general investment of the Subproject, and the land compensation will be fully paid before land acquisition. To ensure the smooth implementation of LAR, financial and supervision institutions at all levels will take responsibilities to ensure that all funds are allocated properly on time.

**Figure 8-1 Flow Chart of Resettlement Fund Payment**



## 9 Resettlement Implementation Schedule

### 9.1 Resettlement Implementation Principles

113. According to the schedule of project implementation, the Subproject has a construction period of 6 years, commencing in November 2022 and ending in October 2028. To achieve smooth transition between the resettlement schedule and the construction schedule of the Subproject, it is planned to commence collective land acquisition in December 2022 and complete such work by November 2023. The basic principles of resettlement implementation are as follows:

- The land acquisition shall be completed within 3 months before the commencement of civil works under the Subproject, and the specific commencement time shall be determined according to the needs of LAR.
- During RP and project implementation, affected persons shall have adequate time and opportunities to make proper readiness for LAR activities of the Subproject. Prior to the commencement of the construction, an announcement of land acquisition scope shall be issued, resettlement information booklets shall be distributed, and work related to public consultation and participation shall be properly conducted.
- All compensation shall be directly paid to property owners in full amount within 3 months from signing of land acquisition and compensation agreements. Any organizations or individuals shall not use these property compensations on behalf of property owners and shall not lower such compensation for any reason.

### 9.2 Land acquisition and Resettlement Implementation Schedule

114. The overall resettlement schedule of the Subproject is proposed according to the schedule of the Subproject. The specific implementation timeline may be changed as appropriate due to deviations in overall progress of the Subproject. Refer to Table 9-1 for the details of the resettlement schedule.

**Table 9-1 Schedule of Resettlement Activities**

S/N	Task	Objective	Responsible Organization	Deadline
1	Consultation and Information Disclosure			
1.1	Disclosure of the RP	Affected villages and villagers	Gansu PMO and Ganzhou PMO	Jun 2022
1.2	Disclosure of the resettlement plan on ADB's website	ADB	Gansu PMO, Ganzhou PMO and ADB	Jun 2022
2	Update of Resettlement Plan			
2.1	Detailed resettlement survey (DMS)	Ganjun Village and Ganjun Town	Gansu PMO and Ganzhou PMO	Sep 2022
2.2	Verification of DMS Results	Ganjun Village and Ganjun Town	Ganzhou PMO and Natural Resource Bureau	Oct 2022

S/N	Task	Objective	Responsible Organization	Deadline
2.3	Conducting Social Stability Risk Assessment and Organizing a Public Hearing	Ganjun Village and Ganjun Town	Ganzhou PMO	Oct 2022
2.4	RP updating	Ganjun Village and Ganjun Town	Gansu PMO and Ganjun PMO	Nov 2022
2.5	Approval of updated resettlement budget (including compensation rates)		Ganjun PMO	Nov 2022
2.6	Submission of Updated RP to ADB for review and approval		Gansu PMO and Ganzhou PMO	Dec 2022
2.7	Disclosure of Updated RP		ADB and Gansu PMO	Dec 2022
3	Capacity Building			
3.1	Discussions with villages involved to establish final scope of the Subproject	Ganjun Village and Xiaoquan Village	Ganzhou PMO and Ganjun Town Government	Oct to Nov 2022
3.2	Capacity building of the County-level Project Management Office	4 staff members	Ganzhou PMO	Oct to Dec 2022
3.3	Selection of persons responsible for LAR in villages	4 persons in 2 villages	Ganzhou PMO and Ganjun Town Government	Dec 2022
4	Commencement and Completion of Land Acquisition and Resettlement			
4.1	Issuance of land acquisition pre-notice	Ganjun Village	Ganzhou District Government	Oct 2022
4.2	Agreements reached with affected villager groups and households	Ganjun Village	Ganzhou PMO and Natural Resources Bureau	Oct to Dec 2022
4.3	Issuance of land acquisition and compensation scheme	Ganjun Village	Ganzhou PMO and Natural Resources Bureau	Oct to Dec 2022
4.4	Payment of land acquisition compensation	Ganjun Village	Ganzhou PMO and Natural Resources Bureau	Oct to Dec 2022
4.5	Completion of land acquisition	Ganjun Village	Ganzhou PMO and Natural Resources Bureau	Dec 2022
5	Skills Training			



S/N	Task	Objective	Responsible Organization	Deadline
5.1	Resettlement skills training	All persons involved in resettlement	Gansu PMO and Ganzhuo PMO	Oct 2022
6	Capacity Building of the Resettlement Implementation Agency			
6.1	Training staff of Ganzhou PMO and the resettlement implementation agency	All persons involved in resettlement	Gansu PMO and Ganzhuo PMO	Sep 2022
6.2	Training of town and township personnel involved in LAR of the Project	All persons involved in resettlement	Gansu PMO and Ganzhuo PMO	Sep 2022
7	Monitoring and Assessment			
7.1	Establishment of an internal monitoring system		Gansu PMO and Ganzhou PMO	
7.2	Internal monitoring and reporting	Semi-annual Report	Gansu PMO and Ganzhou PMO	Since June 2023
7.3	Engagement of an external monitoring agency		Gansu PMO	Jan 2023
7.4	External resettlement monitoring report	Semi-annual Report	Gansu PMO and the Monitor	Since July 2023
7.5	Resettlement completion report	Completion report	Gansu PMO and the Monitor	Dec 2022
8	Public consultation			ongoing
9	Complaints and grievances			ongoing
10	Payment of Compensation			
10.1	To towns and townships	Affected towns	Ganzhou PMO	Sep 2022
10.2	To affected villages and households	Affected villages and villagers	Ganzhou PMO	Oct 2022
11	Commencement of civil works		Ganzhou PMO	Dec 2022

## 10 Monitoring and Evaluation

115. To ensure the successful implementation of the RP and realize the objectives of resettlement properly, LAR activities will be subject to periodic M&E, including internal and external monitoring. In the event of any restrictions due to COVID-19 outbreak or other unforeseeable phenomena, virtual meetings (videoconference, telephone calls, wechat) will be carried out. The Subproject will strictly adhere to social distancing, wear protective masks/equipment during in-person meetings in line with government protocols and guidelines.

116. Specific requirements for internal and external monitoring of LURTF is presented in Annex 3.

### 10.1 Internal Monitoring

#### 10.1.1 Implementation Procedures

117. The internal monitoring will be conducted by Gansu PMO and Ganzhou PMO during the project implementation, and the resettlement expert of the project management consulting agency will provide technical guidance during the project implementation.

#### 10.1.2 Monitoring Scope

118. The scope of internal monitoring includes:
- Implementation of land approval procedures for the Subproject;
  - Implementation progress of land acquisition;
  - Negotiation and signing of land acquisition agreements;
  - Payment of land compensation, subsidies and rents;
  - Compensation for standing crops and ground attachments;
  - Implementation of income and livelihood support measures for the persons affected by land acquisition;
  - Implementation of supporting measures for women;
  - Payment and use of project land acquisition funds;
  - Information disclosure, participation and consultation of affected persons (including indicators on the adequacy and frequency of public consultation, and public discussion and document preservation conditions);
  - Recording and handling of complaints and appeals of APs;
  - Training and capacity building of resettlement implementation and management agencies and personnel; and
  - Internal monitoring findings and follow-up actions.

#### 10.1.3 Internal Monitoring Report

119. The Gansu PMO will submit a consolidated internal monitoring report of all subprojects (including Ganzhou Subproject) to the ADB for review semiannually, along with the project progress report. The report shall include tables to show the key information such as the impact and progress of the land acquisition for the Subproject in the past six months, the implementation of livelihood restoration measures and the payment of land compensation fees. The resettlement experts of the project implementation consulting agency will provide technical support and guidance for the

internal monitoring and preparation of internal monitoring reports during project implementation.

## **10.2 External monitoring**

120. Gansu PMO will recruit a qualified external resettlement monitoring agency with 10 years or more of experience in foreign loan-financed projects

121. The external monitoring and evaluation agency will carry out a baseline survey before LAR, regularly conduct follow-up monitoring and assessment of resettlement activities, monitor the impact of land acquisition, land compensation and resettlement progress, performance, fund payment, satisfaction and complaints, put forward relevant suggestions, keep track of the affected persons' satisfaction and livelihood restoration, and submit the monitoring and evaluation reports to the Gansu PMO, Ganzhou PMO and ADB.

122. This external monitoring and evaluation agency will also be the same external monitoring and evaluation agency for LURT implementation.

### **10.2.1 Content and Methodology of External Monitoring**

#### **(1) Baseline Survey**

123. The external monitoring agency will conduct a baseline survey on the villages affected by land acquisition of the Subproject to obtain the base data of the production and living standards (living, production and income levels) of the monitored resettlement households. All affected households (seven households) will be investigated. The survey will be completed before the implementation of LAR, and the content of the baseline survey report will be included in the first external monitoring report.

#### **(2) Regular Monitoring and Evaluation**

124. The external monitoring agency shall carry out regular follow-up monitoring on the resettlement of the Subproject twice a year during RP implementation of the Subproject. Through on-site observation, follow-up investigation on sample households and random interviews with affected persons, the follow-up investigation on typical samples will be made. Specific external monitoring activities are as follows:

- Actual impact of land acquisition;
- Implementation progress of land acquisition;
- Negotiation and signing of land acquisition agreements;
- Progress of payment of land compensation, subsidies and rents;
- Compensation for standing crops and ground attachments;
- Schedule and progress of land acquisition and resettlement activities;
- Implementation of income and livelihood restoration measures for the persons affected by land acquisition;
- Implementation and effectiveness of skills training for affected persons;
- Changes in the livelihood modes and production and living standards of the affected persons;
- Sharing of benefits of the Project with the affected persons;
- Implementation of supporting measures for women and vulnerable groups (if any identified during RP implementation);

- Information disclosure, participation and consultation of affected persons;
- Recording and handling of complaints and appeals;
- Ability of resettlement implementation management agencies and implementation personnel in the project area and the implementation of training programs;
- Collecting data on gender-specific livelihoods restoration for analysis and presentation in monitoring reports; and
- Main findings and suggestions on land acquisition and resettlement.

### 3) Public Consultation and Negotiation

125. External monitoring agencies will participate in some public consultation and negotiation meetings held during resettlement implementation of the Subproject, where appropriate. Through participation in these negotiation meetings, external monitoring agencies can evaluate the effectiveness of public consultation and participation. The indicators on the adequacy and frequency of public consultation and documentation will be monitored regularly and reported in external monitoring reports.

### 4) Complaints

126. External monitoring agencies shall regularly visit project-affected villages and interview relevant town governments and implementation agencies to follow up the handling of complaints, if any. If any unresolved problems are found during the monitoring, corrective measures will be proposed to the Gansu PMO and Ganzhou PMO to ensure the effective solution of such issues.

#### 10.2.2 External Monitoring Report

127. The external monitoring agencies will prepare the external monitoring reports based on the observation and investigation results in field and then submit external monitoring reports to ADB semiannually via the Gansu PPMO.

128. The external monitoring will start from July 2022 until the resettlement is completed, and the production and livelihoods of the affected persons are restored.

**Table 10-1 Monitoring and Assessment Plan**

S/N	Report	Report submission date	Monitoring period	Remarks
1	First report	July 2023	Date of loan coming into effect ~ June 2023	Including baseline survey reports
2	Second report	January 2024	July ~ December 2023	Semi-annual Report
3	Third report	January 2025	January ~ December 2024	Annual report
4	Fourth report	January 2026	January ~ December 2025	Annual report
5	Fifth report	January 2027	January ~ December 2026	Annual report
6	Sixth report	January 2028	January ~ December 2027	Annual report

7	Seventh report	November 2028	/	Completion report
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### 10.3 Resettlement Completion Report

129. After the completion of the Subproject, the resettlement activities will be subject to the completion review on the basis of monitoring and evaluation. The successful experience in land acquisition and resettlement will be assessed to provide reference for future similar projects. The completion review will be carried out by an external monitoring and evaluation agency engaged by Gansu PMO. The monitoring and evaluation agency will develop a work plan for completion review to establish the evaluation indicator system, carry out social and economic survey and analysis, and prepare the Resettlement Completion Report which will be submitted to the ADB via Gansu PMO.

Annex

Annex 1 Pre-examination of Land Use by the Ganzhou Branch of the Bureau of Natural Resources of Zhangye City

On 24 March 2022, Ganzhou Branch of the Bureau of Natural Resources of Zhnagye City issued the opinion on land use pre-examination, confirming that the Subproject will not occupy permanent basic farmland, and is not located within the red line of ecological protection.



## Annex 2 Due Diligence for Completed Land Acquisition

### A Project Background and Completed Land Acquisition

1. The construction area of Ganzhou Sub-project consists of Xiaoquan Village and Ganjun Village, Ganjun Town, Ganzhou District. The Subproject consists of the High-standard Farmland Construction, the fruit and livestock circularity demonstration park, construction of the farming culture popularization base, the ecological environment governance rural development, the green and intelligent energy-saving agricultural facilities, the ecological restoration works, and the ecological beef cattle farm.
2. Land acquisition and resettlement for farming culture popularization base has been completed in 2020. According to the survey, 12.76 mu land has been acquired for the farming culture popularization base and 4 households and 14 persons were affected.

### B Purpose of Due Diligence

3. The purposes of due diligence on the completed land acquisition are:
  - 1) To check the land acquisition and payment guarantee of the affected persons to ensure that the land acquisition conforms to the laws, regulations and policies of the State and Gansu Province;
  - 2) To review the acquisition process and compensation payment;
  - 3) To ensure that the rights of vulnerable groups affected by land acquisition are protected and supportive policies are implemented;
  - 4) To verify public participation, information disclosure and grievance redress mechanism in land acquisition and resettlement process;
  - 5) To verify whether there are any the problems existing in land acquisition and put forward feasible suggestions.

### C Methods of Due Diligence

4. The methods adopted in this due diligence are:
  - 1) Literature survey method: The documents related to land acquisition were collected and reviewed, including land acquisition agreement, land acquisition policies of Zhangye City and Ganzhou District, and public participation information related to land acquisition, and so on.
  - 2) Field visit & interview method: The consultations and interviews were carried out with affected villages and persons to collect and confirm relevant information and data of land acquisition and resettlement through field visits and investigation.

### D Land Acquisition and Resettlement Impact

5. 12.76 mu had been acquired with 4 households and 14 persons affected. In November 2020, the Ganjun Town Government signed a land acquisition agreement with the affected households who had been interviewed during the due diligence (see Annex 2-1 for details). Compensation for land acquisition have been fully paid to the affected persons. None of the AHs are vulnerable HHs.

**Table 1 Information of Land Acquired through Acquisition**

S/N	Towns and townships	Village	Subtotal	Cultivated land	AP	
					HH	person
1	Ganjun Town	Ganjun Village	12.76	12.76	4	14

Source: Field survey, April 2022

## **E Land Acquisition Policies and Compensation Standard**

6. According to the Land Administration Law of the People's Republic of China and the Comprehensive Land Price Standard for Land Acquisition in Agricultural Areas of Zhangye City (ZF [2020] No. 36), the general cultivated land in Ganjun Town belongs to Class IV land, and the comprehensive land price is not less than CNY 45,311/mu. During the implementation of land acquisition, the compensation standard was CNY 50,000/mu which is higher than the standard stipulated in the policies.

7. Reportedly, the cultivated land in the project area was mainly planted with wheat, corn and potato, with an average annual output value of about CNY 1500 yuan/mu, and the net output value of around CNY 800 yuan/mu when the land was acquired. As a result, the land acquisition compensation was at least 60 times of the net output value of the cultivated land in affected village. Therefore, the compensation standard meets the principle of full replacement cost.

## **F LAR Implementation and Compensation Payment**

8. The above-mentioned LAR was launched in November 2020 and completed in March 2021. According to the compensation agreements, the total LAR compensation was CNY 638,000.

9. According to the agreement, all LAR compensation was directly paid to the affected households. After the agreements were signed, the LAR compensation was paid to affected households through the bank by the Ganjun Town Government. According to the investigation, all compensation had been paid by March 2021.

## **G Livelihood Restoration**

10. When land was acquired, the main livelihood restorations measures were: i) cash compensation, ii) subsidy for endowment insurance and iii) trainings provided by local government. According to document verification and interview of relevant government departments, 13 of the total 14 affected persons were provided subsidy for endowment insurance. The total amount of subsidy is about CNY 119,600 which has been deposited into the designated accounts of affected persons.

## **H Grievance Redress Mechanism**

11. The grievance redress mechanism was functioning well during the LAR implementation. If the APs are dissatisfied with the LAR-related matters, they can appeal to village committee, township government, etc.

12. According to the interview and investigation of affected persons, they agreed with the land acquisition procedure. As a result, there were no complaints received during the LAR implementation.

## **I Conclusion**

13. The Ganjun Town Government has signed land acquisition agreements with affected households. The compensation policies and compensation standard were compliance with the relevant policies and regulations of Zhangye City and Gansu Province and SPS 2009, and the compensation funds had been fully paid to the affected person. The subsidies for endowment insurance had been put in place for eligible persons. There were no complaints received to date.

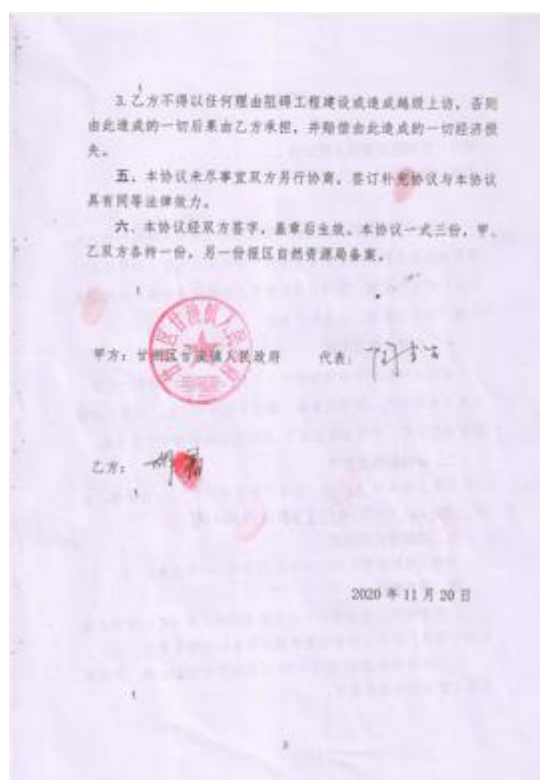
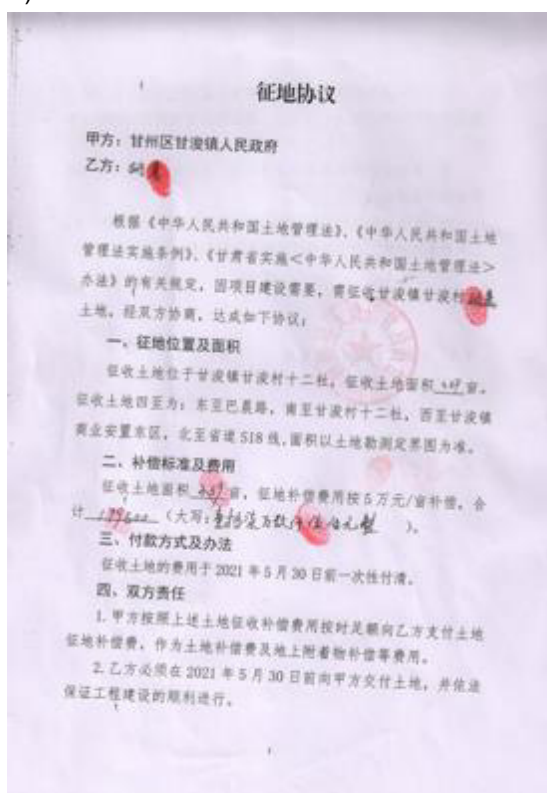


## Annex 2-1 Signed Agreement on Land Acquisition of Ganjun Village

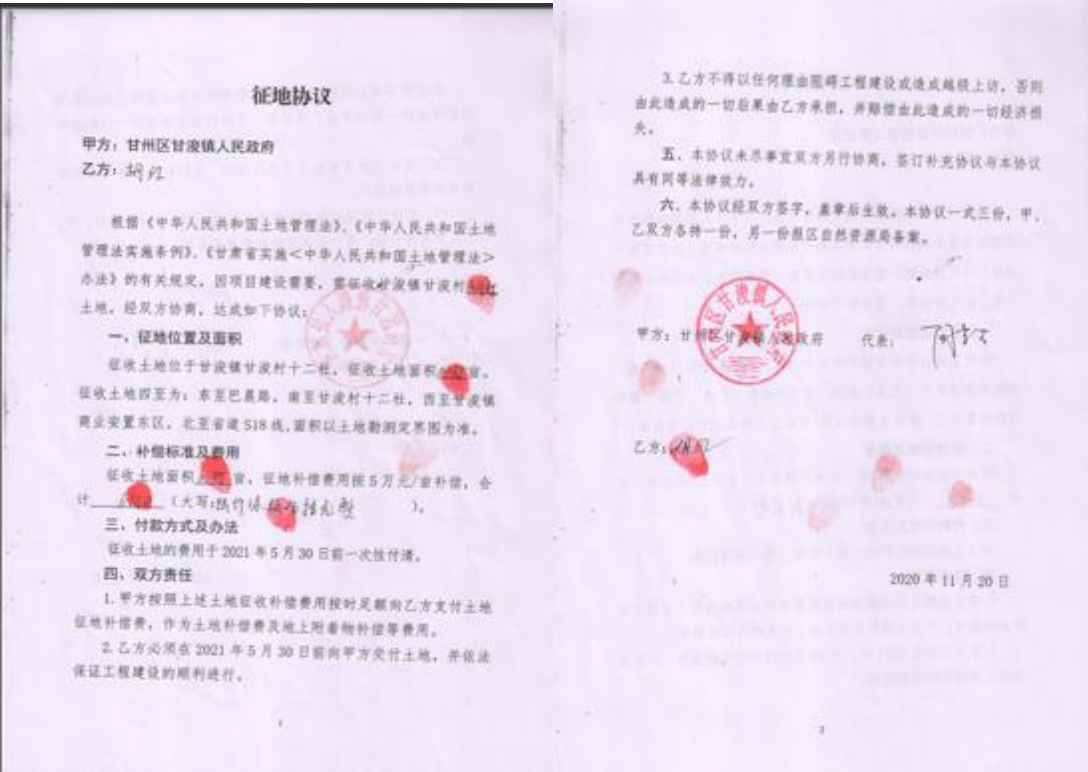
14. A total of 12.76 mu land had been acquired in Ganjun Village, involving 4 households and 14 persons. The total LAR compensation was CNY 638,000. The agreements were signed in November 2020.

S/N	Affected households	Area of land acquisition (mu)	LAR Compensation (CNY 10,000)	Date of agreement signing:
1	Affected household A	3.59	17.9	November 20, 2020
2	Affected household B	0.14	0.8	November 20, 2020
3	Affected household C	5.29	26.4	November 20, 2020
4	Affected household D	3.74	18.7	November 20, 2020
Subtotal		12.76	63.8	

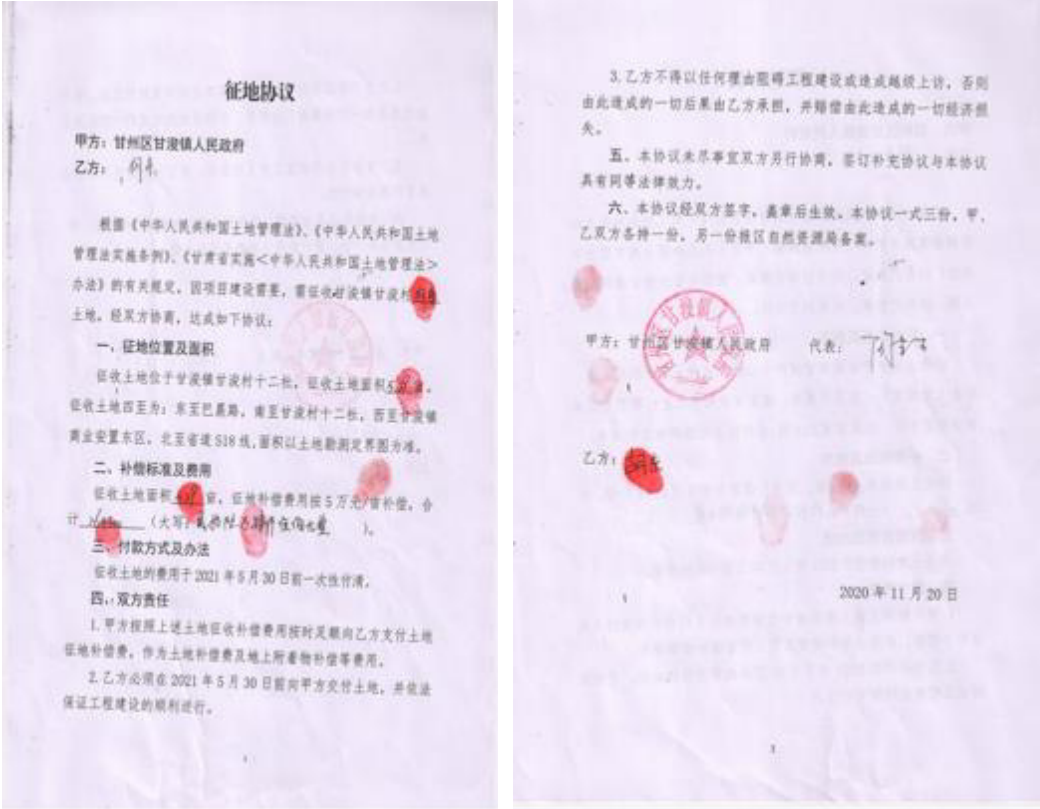
### 1) Affected household A



2) Affected household B



3) Affected household C



## 4) Affected household D

**征地协议**

甲方：甘州区甘渡镇人民政府  
乙方：胡奇

根据《中华人民共和国土地管理法》、《中华人民共和国土地管理法实施条例》、《甘肃省实施〈中华人民共和国土地管理法〉办法》的有关规定，因项目建设需要，需征收甘渡镇甘渡村十二社土地，经双方协商，达成如下协议：

**一、征地位置及面积**

征收土地位于甘渡镇甘渡村十二社，征收土地面积 3.21 亩。征收土地四至为：东至巴晨路，南至甘渡村十二社，西至甘渡镇商业安置小区，北至省道 S18 线，面积以土地勘测界定图为准。

**二、补偿标准及费用**

征收土地面积 3.21 亩，征地补偿费用按 5 万元/亩补偿，合计 16.05 万元（大写：壹拾陆万零伍仟元整）。

**三、付款方式及办法**

征收土地的费用于 2021 年 5 月 30 日前一次性付清。

**四、双方责任**

1. 甲方按照上述土地征收补偿费用按时足额向乙方支付土地征收补偿费，作为土地补偿费及地上附着物补偿等费用。

2. 乙方必须在 2021 年 5 月 30 日前向甲方交付土地，并依法保证工程建设的顺利进行。

3. 乙方不得以任何理由阻碍工程建设或造成越权上访，否则由此造成的一切后果由乙方承担，并赔偿由此造成的一切经济损失。

五、本协议未尽事宜双方另行协商，签订补充协议与本协议具有同等法律效力。

六、本协议经双方签字，盖章后生效。本协议一式三份，甲、乙双方各持一份，另一份报区自然资源局备案。

甲方：甘州区甘渡镇人民政府 代表：[Signature]  
乙方：[Signature]

2020 年 11 月 20 日

### **Annex 3 Land Use Right Transfer Framework**

Project Number: 53077-001  
June 2022

**Gansu Environmentally Sustainable Rural Revitalization and Development Project**  
**—Ganzhou Subproject**

**Ganzhou District Project Management Office**

**June 2022**

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## 1 Introduction

### 1.1 Background of the Subproject

1. The Fruit and Livestock Circulation Demonstration Park in Ganzhou District, Zhangye City (Ganzhou Subproject or the Subproject) is one of the five subprojects of the Gansu Environmentally Sustainable Rural Revitalization and Development Project by ADB.

2. According to the feasibility study report (FSR), Ganzhou Subproject consists of seven parts, which are (i) High-standard Farmaland Construction, (ii) Fruit and Livestock Circularity Demonstration Park, (iii) Farming Culture Popularization Base, (iv) Ecological Environment Governance Rural Development, (v) Green and Intelligent Energy-saving Agricultural Facilities, (vi) Ecological Restoration Works (Ganzhou section of Heihe River) and (vii) Ecological Beef Cattle Farm. The total investment of the Subproject is about CNY 549.77 million. The project implementation period is from November 2022 to October 2028.

3. The Subproject will involve Ganjun Village and Xiaoquan Village, Ganzhou Town, Ganzhou District.

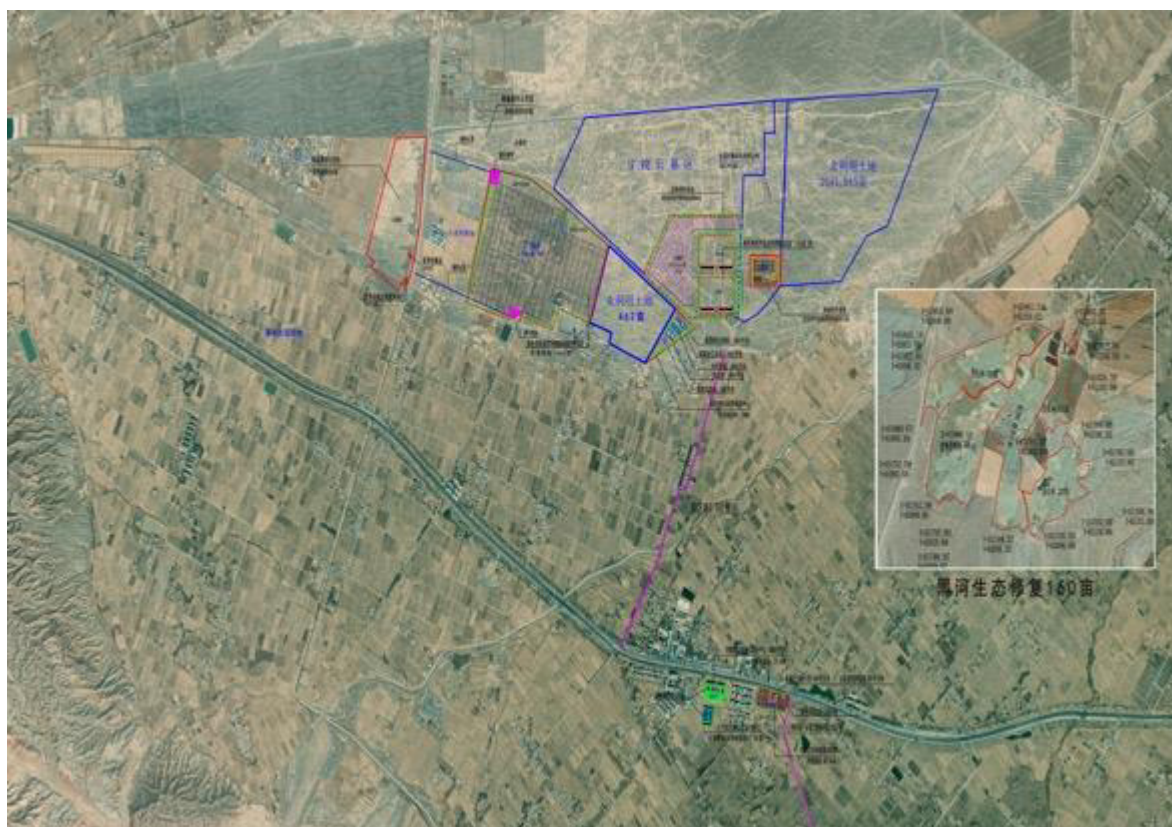


Figure 1 Layout of the Subproject

### 1.2 Summary of LURT

4. According to the FSR and on-site investigation, Ganzhou Subproject will obtain 3,401 mu land through land use right transfer (LURT). All land to be transferred is collectively owned unutilized land in villages, including 65 mu unutilized land in Ganjun Village and 3,336 mu unutilized land in Xiaoquan Village. The land is vacant and not used by any households or units. Therefore, LURT will not involve any person directly.

### 1.3 LURT Cost and Implementation Schedule



5. The LURT framework estimates the LURT cost during the construction period (2023~2028) of the Subproject. All relevant costs have been included in the total project investment and will be disbursed by the counterpart funds of local government. Meanwhile, the LURT cost during the operation period will be included in operating cost of the Subproject.

6. According to the project implementation schedule, the negotiation and signing of LURT agreements will be implemented from December 2022 to December 2023.

## 2 LURT Impact

7. A total of 3401 mu land will be transferred for the Subproject, involving Ganjun Village and Xiaoquan Village, Ganjun Town. As mentioned above, all land is collective unutilized land. The LURT will not involve any households. According to the survey, the land has not yet been transferred. The land use right transfer will be implemented in accordance with the principle of "equality, voluntariness, openness, transparency, and compensation", without triggering Safeguard Requirements 2: Involuntary Resettlement of ADB.

8. From the perspective of project activities, the land to be transferred for each sub-project activity is as follows:

- the High-stand farmland construction, especially the construction of green organic-vegetable planting base, will transfer 1460 mu land, which is collectively owned unutilized land in Xiaoquan Village. The construction scheme is to level and restore the existing unutilized, and build water storage facilities, arched greenhouses, organic vegetable storage and transportation centers, etc.
- the fruit and livestock circularity demonstration park will transfer 1090 mu land, which is collectively owned unutilized land in Xiaoquan Village. After soil improvement, it is planned to plant economic seedlings and construct service center, fruit waste collection stations, water storage and irrigation facilities.
- The green and intelligent energy-saving agricultural facilities will transfer 786 mu land to build energy-saving greenhouses, photovoltaic power stations, transferring yards and internal roads, etc. The collectively-owned unutilized land of Xiaoquan Village will be transferred.
- The ecological beef cattle farm will transfer 65 mu land to build cattle sheds, isolation sheds, auxiliary production houses, and other supporting facilities. The collectively owned unutilized land of Ganjun Village will be transferred.

9. See Figure 2 for the current status of land to be transferred and summary of LURT.

Figure 2 Status of Land to be transferred by the Subproject





**Table 1 LURT by the Subproject**

<b>S/N</b>	<b>constructin activity</b>	<b>Town</b>	<b>Village</b>	<b>Land categories</b>	<b>LURT (mu)</b>
I	High-stand farmland construction	Ganjun Town	Xiaoquan Village	Collectively-owned unutilized land	1460
II	fruit and livestock circularity demonstration park	Ganjun Town	Xiaoquan Village	Collectively-owned unutilized land	1090
III	green and intelligent energy-saving agricultural facilities	Ganjun Town	Xiaoquan Village	Collectively-owned unutilized land	786
IV	ecological beef cattle farm	Ganjun Town	Ganjun Village	Collectively-owned unutilized land	65
Subtotal					3401

Data source: Project Feasibility Study Report and Field Survey (April 2022)

### 3 Legal Framework for LURT

#### 3.1 Policy Framework

10. The LURT policy framework will be complied with to ensure that the implementation of LURT conforms to the *Law of the People's Republic of China on the Contracting of Rural Land* and the *Measures for the Administration of Transfer of Rural Land Contracted Management Right*, as well as the relevant policy requirements of Gansu Province, project cities and counties (districts). The specific policy framework is detailed in Table 2. The laws, regulations and policies hereunder form the legal and effective policy framework for LURT.

**Table 2 Policy Framework**

Policy Level	Laws and Regulations	Document No. or Effective Date
State and ministries	Civil Code of the People's Republic of China	1 Jan 2021
	Land Administration Law of the People's Republic of China	January 1, 2020/ Decree No. 41 of the President of the People's Republic of China
	Law of the People's Republic of China on the Contracting of Rural Land	January 1, 2019/ Decree No. 73 of the President of the People's Republic of China
	Measures for the Administration of Transfer of Rural Land Use Right	1 Mar 2021
	Circular of the State Council on Intensifying the Land Control	No. 28 [2004] of the State Council
	Law of the People's Republic of China on the Mediation and Arbitration of Rural Land Contract Disputes	1 Jan 2010
	Rules on the Arbitration of Rural Land Contracting Disputes issued by the Ministry of Agriculture of the People's Republic of China	1 Jan 2010
Gansu Province	Notice of the General Office of the People's Government of Gansu Province on Actively and Prudently Promoting the Transfer of Rural Land Contracted Management Right	GZBF [2009] No. 130
	Measures of Implementing the Land Administration Law of the People's Republic of China of Gansu Province;	2021, No. 93 of Standing Committee of the Provincial People's Congress
	Notice of the General Office of the People's Government of Gansu Province on Issuance of the Work Program for Confirming, Registering and Certifying Rural Land Contracted Management Right in Gansu Province	GZBF [2015] No.27
	Provincial Interim Measures of Administration of Funds for Transfer of Rural Land Contracted Management Right by Means of Replacing Subsidies with Rewards of Gansu Province	2009
	Notice of Gansu Provincial Department of Agriculture and Rural Affairs and Gansu Provincial Department of Finance on Issuance of the Guidelines for Application of Rural Land Contracted Management Right Transfer Support Projects in 2011	2011.5.1
	Regulations on Supply Management of State-owned Construction Land in Gansu Province	GZGF [2020] No. 6

### 3.2 Major Policy Requirements

11. The land use right transfer must comply with the Law of the People's Republic of China on the Contracting of Rural Land and the Measures for the Administration of Transfer of Rural Land Contracted Management Right and relevant policies of the local governments, as well as ADB's good practices on voluntary land agreements. The main legal and policy requirements are as follows:

#### (i) Land Administration Law of the People's Republic of China

12. The farmland, woodland and grassland collectively owned by farmers and those owned by the State and collectively used by farmers according to law, as well as other land used for agriculture according to law, shall be contracted by households in rural collective economic organizations. Barren mountains, ditches, hills and beaches that are not suitable for household contracting can be contracted through bidding, auction or public negotiation for planting, forestry, animal husbandry and fishery production. The contract period of farmland contracted by households is 30 years, that of grassland is 30 to 50 years, and that of forestland is 30 to 70 years. The contract period of farmland will be extended for 30 years upon expiration, and that of grassland and forestland will be extended accordingly upon expiration.

13. State-owned land used for agriculture according to law can be contracted by organizations or individuals for planting, forestry, animal husbandry and fishery production.

14. The lessor and the leasee shall conclude a contract according to law, stipulating the rights and obligations of both parties. Organizations and individuals having contracted management right of land shall have the obligation to protect and rationally utilize the land for the purposes agreed in the contract.

#### (ii) Law of the People's Republic of China on the Contracting of Rural Land

15. Article 44 of the *Rural Land Contracting Law* stipulates that the LURT shall not change the relationship between the farmers and the collective organizations under the household responsibility system, i.e., the farmers retain the original land contracting rights and have the right to benefit from it in the form of negotiated rent by transferring their land use rights. When the land lease expires and the lease contract is invalid or terminated, the land management rights shall be returned to the previous farmer household. This mechanism can ensure that land leases do not deprive farmers of their land contracting rights or undermine the status of rural collectives to exercise land ownership.

16. Village collectives shall contract farmland to farmer households, with a statutory contract period of 30 years for farmland, or 30-50 years for grassland, or 30-70 years for forestland. The contract period may be extended upon expiration. Paragraph 2, Article 27 of the law further supplements that the land contracting rights of farmer households that migrate to urban areas shall be strictly protected, and farmer households' permanent settlement in urban areas shall not affect their contracted management rights. Therefore, the law ensures long-term land contracting rights of farmer households regardless of whether their registered residence ("*Hukou*") has changed or whether they have moved to urban areas.

17. The *Rural Land Contracting Law* strengthens the **principle of voluntary transfer of land use rights** to protect farmers from forced transfer of land. Article 38 of the law stresses that the transfer of land use rights shall be based on following principles: (i) land use rights transfer shall be carried out on a lawful, voluntary, and non-gratuitous basis, and no organization or individual is allowed to force or hinder the transfer of land management rights;

(2) It is not allowed to change the nature of land ownership and the agricultural purpose of land, or to damage the comprehensive agricultural productive capacity and agricultural ecological environment; (3) the transfer period shall not exceed the remaining period of the contract period; (4) the lessee shall have agricultural operation capacity or qualification; (5) Under the same conditions, the members of the collective economic organization have priority for LURT. Article 60 reiterates that forced LURT will be invalid.

18. The *Rural Land Contracting Law* **consolidates and improves contract management requirements**. The general terms of a LURT agreement shall at least include but not be limited to: (i) Names and domiciles of the parties; (ii) Description, location, area and quality grade of relevant land; (iii) Term and starting and ending dates of land lease; (iv) Purpose of the LURT; (v) Rights and obligations of the parties; (vi) Land lease price and payment method; (vii) The beneficiary of compensation arising from land expropriation, acquisition, and occupation according to law; (viii) Liabilities for breach of contract (Article 40). In addition, according to Article 41 of the law, the State encourages the parties to register the land lease with the registry office in case of a land lease period of more than five years. The amendment on contract terms aims to standardize and strengthen the management of large and medium land leases encouraged by the government.

19. The *Rural Land Contracting Law* introduces more explicit provisions on the termination of land lease contracts, to protect the rights and interests of farmers and lessees. Farmers are not allowed to terminate land lease contracts without authorization, except for any of the following circumstances: (i) The lessee uses the land for purposes other than agricultural purposes without authorization; (ii) The lessee discontinues farming and leaves the land out of cultivation for more than two consecutive years; (iii) The lessee causes serious damage to the land or to the land ecological environment; and (iv) The lessee has other serious violations. With the prior consent of the farmer households, the lessee may invest to improve the soil, build auxiliary and supporting facilities for agricultural production according to law, and obtain reasonable compensation for its investment in accordance with the contract.

20. In order to avoid and reduce the social risks brought by the increasing land leasing, **the participating enterprises needs to be screened according to their qualification in the early stage**. The *Rural Land Contracting Law* (Article 45) supplements that local people's governments at or above the county level shall establish a system of qualification examination, project review and risk prevention for social capital such as industrial and commercial enterprises to obtain land management rights through leasing. In addition to qualification examination, the local government is seeking to strengthen the monitoring of land leasing through a series of measures (e.g., remote sensing survey, regular field visits, etc.) in practices, so as to ensure that the land is used for agricultural purposes and that farmer households' will is well respected and that the land leasing is not implemented in a forced manner. This is essential to protect the rights and interests of farmer households, especially land leasing at the rural and township levels.

21. The *Rural Land Contracting Law* protects **women's equal land rights and equal rights to obtain land lease income**. Article 6 of the law supports gender equality in land contracting rights and protects lawful rights of women. Thus, women enjoy the same rental income from land use rights transfer as men in the same household.

22. The *Rural Land Contracting Law* emphasizes **dispute resolution mechanisms**. Article 55 of the law stipulates the mechanisms for handling various disputes and appeals related to rural land contracting or leasing, including applying for mediation by the relevant village committee and township government and applying for arbitration at the special arbitration agency for rural land contracting. These complaints are also not excluded from judicial proceedings and the parties may bring actions in the local court

### **(3) Administration Measures of Transfer of Rural Land Use Right**

23. In January 2021, the Ministry of Agriculture and Rural Affairs issued the Measures for the Administration of Transfer of Rural Land Use Right, which mainly includes the following clauses:

- The period of land use right transfer must be within the land contract period;
- Negotiation between the lessor and the lessee;
- The transfer of land use rights shall proceed in accordance with legal procedures;
- Standard contracts (approved by the third party);
- Official registration and filing of transfer of land use rights;
- The contracts will be approved by township agricultural stations.

### **(4) Mediation and Arbitration Law of Rural Land Contract Disputes**

24. The *Mediation and Arbitration Law of Rural Land Contract Disputes of the People's Republic of China* and relevant implementation measures of the county/district involved in the Project - mediation and arbitration of disputes through the bottom-up appeal resolution mechanism.

### **(5) ADB's Good Practices on Voluntary Land Use**

25. In the process of signing and implementing voluntary land use agreements, the following requirements shall be met:

- (i) the principles of fairness, openness, impartiality, and voluntariness.
- (ii) the principle of gender equality.
- (iii) the principle of meaningful consultation.
- (iv) establishment and operation of grievance redress mechanism (GRM);
- (v) third party validation
- (vi) external monitoring during implementation.
- (vii) Any adverse impacts are avoided, if not mitigated. Land attachments (crops, trees, or structures) that will require removal shall be compensated based on the principle of replacement cost; and
- (viii) households who are not willing to participate will be fully respected and ensure that the said households will continue to have access to their land.

## 4 LURT Principles and Procedures

### 4.1 LURT Principles

26. The following principles will be adopted by LURT:
- i) Equality, voluntariness, legal procedure, and fair compensation. Equality means both parties have equal legal status. Voluntariness means the transfer of land contracting management right must be completely voluntary for both parties, and neither party shall force the other party to transfer or accept land transfer. Legal procedure means that LURT must be concluded per legal procedure with legal agreement. Fair compensation means the transferred land shall be compensated for at the negotiated market price.
  - ii) Unchanged ownership and agricultural use of transferred land. LURT means transferring use right, not ownership, therefore ownership of transferred land shall remain unchanged. Yet future users of transferred land shall not change the agricultural land use nature, i.e., shall not convert transferred land for non-agricultural uses.
  - iii) Government's direction and administration. Ganzhou PMO, township government, the Agriculture and Rural Affairs Bureau and the Natural Resources Bureau, etc. shall direct and administrate the legal transfer of rural land.
  - iv) Conflict resolution through GRM. The GRM of the Subproject should be used to resolve grievances and conflicts, if any.
  - v) Any adverse impacts are avoided, if not mitigated. Land attachments (standing crops, trees, or structures) that will require removal shall be compensated based on the principle of replacement cost; and
  - vi) households who are not willing to participate will be fully respected and ensure that the said households will continue to have access to their land

### 4.2 Responsibilities and Rights of Parties Involved in LURT

27. According to relevant laws and regulations, relevant county and town governments in project area shall manage and guide the LURT within their jurisdictions. The specific responsibilities of parties involved in the Subproject are as follows.

28. **Project Management Offices of Gansu Province:**

- i) Publicize policies for transfer of rural land use right;
- ii) Guide orderly transfer of land use right according to law;
- iii) Direct arbitration and resolution of disputes; and
- iv) Strengthen and standardize transfer of rural land use right;
- v) Employ an external monitor to review and verify the contract and make a review report as part of monitoring report for to be submitted to ADB.

29. A resettlement and land use specialist, to be hired by Gansu PMO under the PMC will verify, monitor and evaluate the consultation process, the result of the consultation and negotiation, the signing and implementation of voluntary land-use agreements in monitoring reports every six months. If significant non-compliance issues are identified, corrective action plans should be prepared and agreed with ADB and actions will be closely monitored and reported to ensure compliance. The specialists will also provide necessary support and trainings to district/county PMOs.

30. **Ganjun Town Government:**

- i) Provide specific policy guidance for LURT and review LURT applications of the parties;
- ii) Provide a LURT contract template and assist the parties in signing the contract;

- iii) Assess and review the operation capacity and operating items of the lessee;
- iv) Confirm and authenticate the signed contract as the third party;
- v) File, submit and issue documents for land use right transfer;
- vi) Settle disputes related to the transfer of rural land use right; and
- vii) Provide consulting services.

31. **Village Committees Involved:**

32. Rights and obligations of the lessors (Xiaoquan Village and Ganjun Village Committees) are as follows:

**Rights:**

- i) Obtain LURT payment as agreed in the contract.
- ii) Supervise Party B to use the circulated land according to the purpose agreed in the contract.
- iii) After the contract expires or is terminated, recover the transferred land.

**Obligations:**

- i) The lessor shall go through registration, filing and other formalities with relevant departments.
- ii) The lessor shall not interfere with Party B's normal production and operation activities; and
- iii) The lessor shall not use or occupy the land transferred to Party B in any form.
- iv) Information collection and classification on LURT, to be reported to the town government; and
- v) Assisting the town government in settling disputes

33. Lessee **Involved in LURT (as Lessee):**

34. Rights and obligations of lessee are as follows:

**Rights:**

- i) The lessee is entitled to independent production and operation right, management right, product disposal right and usufruct over the circulated land; and
- ii) Where the acquisition or occupation of circulated land according to law causes economic losses, the lessee is entitled to corresponding compensation.

**Obligations:**

- i) Carry out production and operation activities within the scope permitted by national laws, regulations and policies, and pay the LURT price in full and on time according to the contract.
- ii) The lessee may not use the circulated land for purposes other than its designated purposes without authorization, nor leave the land out of cultivation.
- iii) Protect the transferred land during the contract period and do not damage it.
- iv) Restore the transferred land if it is damaged after the expiration or termination of the contract.
- v) Strengthen work safety to prevent accidents, and bear the responsibilities in case of losses arising from accidents; and
- vi) If the land use right re-transfer occurs during LURT, the lessors should be informed of relevant matters and their consents should be gained.

35. **LURT supervision departments**, including the Agriculture and Rural Affairs Bureau

and the Natural Resources Bureau, will review and supervise the administrative management procedures and compliance of LURT to ensure the legitimate rights and interests of all parties.

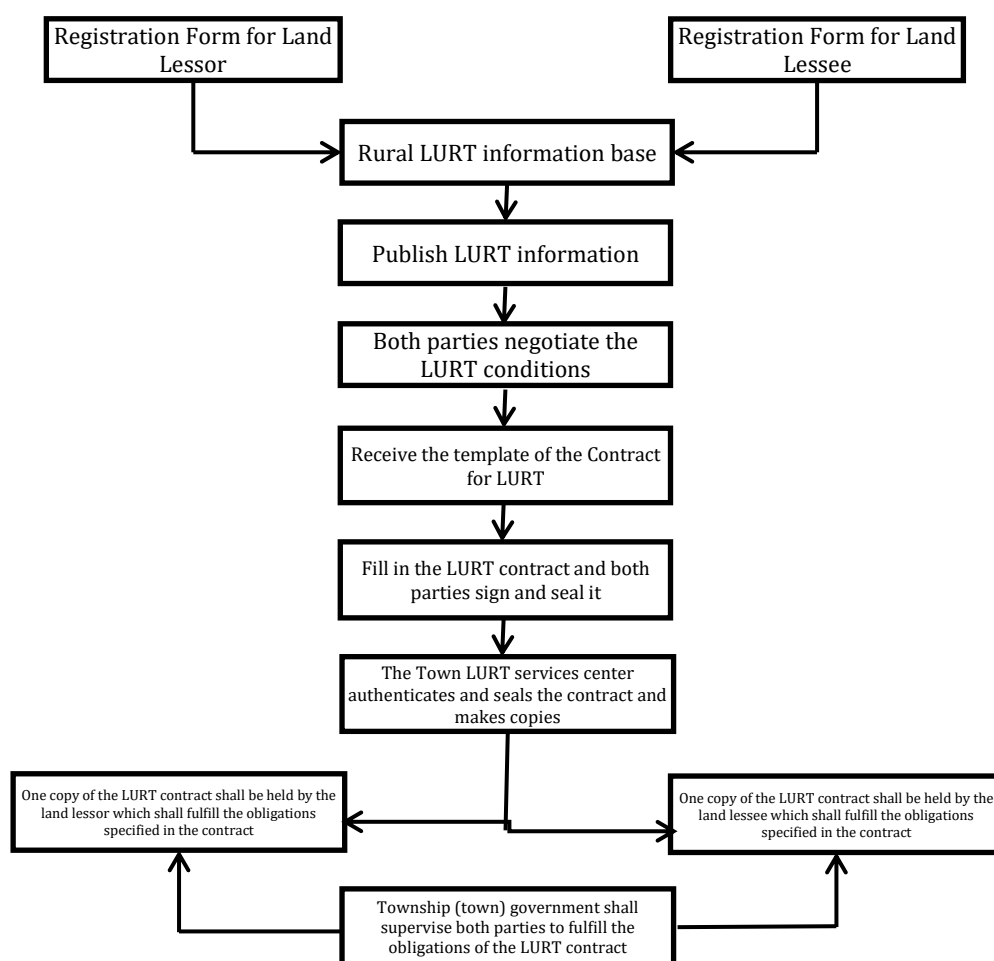
#### 4.3 Procedures of LURT

36. According to applicable policy framework and local practices on LURT, the basic procedures of LURT are as follows:

- i) The lessors (Xiaoquan Village and Ganjun Village committees) shall fill in the LURT application, including village name, land area, land description, land type, price, term, contact number, etc.
- ii) A meeting of villagers' representatives will be organized in Xiaoquan and Ganjun Village to review the LURT application, and then submit the approved LURT application to the LURT service station of Ganjun Town.
- iii) The lessee files an application with the township (town) LURT service station and fills in the LURT application form, including name, unit, transfer area, land type requirements, intended transfer period, proposed operating items and contact number. The township (town) LURT service station handles the application and files with the county LURT service center.
- iv) The LURT service station of Ganjun Town registers the LURT after reviewing the operation capacity and operating items of the lessee.
- v) Transfer price evaluation: The transfer parties determine the LURT price through voluntary negotiation or entrust the town LURT service station to organize relevant personnel to evaluate the LURT price as a reference basis.
- vi) The LURT service station of Ganjun Town releases information at the transaction service place, including the LURT price and terms agreed by both parties and the basic information provided by both parties.
- vii) The LURT parties reach an agreement through voluntary negotiation, and conclude a LURT contract in a unified format according to the procedures; and
- viii) The LURT contract to be authenticated and filed shall be made in quadruplicate and authenticated by Ganjun Town. Both parties shall hold one hard copy of the contract, and the other two copies shall be filed by the township (town) and county governments, respectively.



Figure 0-1 LURT Procedure of the Subproject



#### 4.4 Measures to Protect the Rights and Interests of the Involved Parties

37. The following measures will be taken to protect the rights and interests of both parties:
- i) If the LURT is seriously damaged due to natural disasters or force majeure during the contract period, both parties shall terminate or change the contract through negotiation, and the land shall be returned to the original user for cultivation.
  - ii) All of the land leasing contracts will be signed by both husband and wife in case of involving individual households
  - iii) The LURT contract shall be approved and signed off by the town government for free of charge.
  - iv) The term of LURT shall be negotiated by both parties, but shall be within the contracting period of rural land or in accordance with corresponding laws and regulations; and
  - v) The LURT price shall be determined according to the land type, feasibility and grade, and with reference to the price of nearby villages. If the term of LURT exceeds 3 years, the transfer price can be adjusted at a set interval. The Subproject only involves transfer of unused land, it is agreed not to adjust the LURT price within 6 years upon negotiation between both parties.

#### 4.5 Agreements Preliminarily Reached for the Project

38. Based on voluntary negotiation of both parties on LURT and the consent of representatives of farmers and the endorsement of local government departments (i.e

township government), following agreements have been preliminarily reached on LURT for Ganzhou Subproject during project preparation:

- 1) LURT period: 2022-2032, 10 years in total. When the agreement is expired, the lessor has priorities to renew LURT agreement in the same condition in compliance with relevant laws and regulations.
- 2) land use mode: LURT with rent.
- 3) Transfer price: CNY30 per mu based on initial negotiation and market price for transferring similar land in the Ganzhou District.

39. See 3-1 for details of letter of initial intent for land use right transfer of involved village committees, who support the Subproject and agree to transfer collectively owned unused land to the Subproject.

40. Both parties will discuss further details of the transfer contract, including detailed measurement to determine the transfer area and the transfer price, after which the land use right transfer contract will be formally signed.

41. As the land to be circulated in the Project is unutilized collectively owned land, there is no earnings. The circulation of land will bring a certain collective economic income to the Xiaoquan Village and Ganjun Village, which is conducive to the social and economic development of the village collectives.

#### **4.6 Rent Standard and Payment Method of Land use right transfer**

- 1) According to the initial agreement reached with the villages involved, the transfer price for similar land will be CNY 30/mu·year.
- 2) The LURT rent will be paid through bank account. After the LURT contract is signed, the land lessee will directly transfer the LURT fee to the bank accounts of Xiaoquan and Ganjun Village Committees according to the contract. The payment will be made annually, i.e., the LURT fee will be paid before January 31 of each year (paying the LURT fee before using the land).

#### **4.7 Use and Management of LURT Rent**

42. The collective incomes from LURT will be saved in the financial accounts of Xiaoquan Village and Ganjun Village and will be used for villagers' public welfare undertakings, including expenditures on rural construction, improvement of people's livelihood, public security, recreational and sports activities, assistance to needy people, financial aid for poor students and rewards for outstanding students, etc.

43. The management of incomes from LURT shall be subject to separate management in terms of account, use rights and cash. That is to say, Ganjun Town Government is to be responsible for use plan review and approval and bill accounting, meanwhile, the use rights will be taken by the village committees according to the prescribed procedures, and the village accountant is to be responsible for cash using plan collection and submission, cash withdrawal, settlement and reimbursement.

44. The village public affairs supervision committee is to supervise and review the LURT incomes and expenditures, and publicize the extract of accounts quarterly on the village affairs notice board and in the villagers' representative meeting or villagers' assembly.

#### **4.8 Land use right transfer Action Plan and Schedule**

45. Table 3 summarize the LURT implementation schedule of the Subproject.

**Table 3 LURT Implementation Schedule**

<b>Time</b>	<b>Specific activities</b>	<b>Agency personnel involved</b>
October 2022	Carry out preliminary consultation with village cadres and villagers' representatives on LURT method, rent standard, payment method, etc., and reach an agreement	Ganzhou PMO, the lessee, LURT Service Station of Ganjun Town, cadres and representatives of Xiaoquan and Ganjun Villages
December 2022	Convene the villagers' congress	Ganzhou PMO, the lessee, LURT Service Station of Ganjun Town, cadres and representatives of Xiaoquan and Ganjun Villages
December 2022	Report to LURT service station of the town government for review and registration	Ganzhou PMO, the lessee, LURT Service Station of Ganjun Town, cadres and representatives of Xiaoquan and Ganjun Villages
January 2023	Signing of agreement	Ganzhou PMO, the lessor, LURT Service Station of Ganjun Town, cadres and representatives of Xiaoquan and Ganjun Villages
January 2023	Payment of LURT fees	Ganzhou PMO, the lessor, LURT Service Station of Ganjun Town, cadres and representatives of Xiaoquan and Ganjun Villages

## **5 Informaiton Disclosure, Public Participation and Grievance Redress Mechanism**

### **5.1 Information Disclosure and Public Participation during Project Preparation**

46. From October 2021 to March 2022, the Ganzhou PMO has carried out various forms of public participation activities in Ganjun Village and Xiaoquan Village, including holding symposiums, interviews and questionnaires for key informants which were all conducted in person. Through the completed public participation, it can be found that:

- After the participants basically understood the project activities, they all expressed support for the project development;
- The land used for the Subproject is unutilized collectively owned land. The main benefits of the Subproject include economic improvement, environmental improvement and increase of employment opportunities with minima negative impacts
- In case of dissatisfaction, villagers will generally complain to the village committee and seek the solution from the village committee.
- Most people recognized that the LURT rent can be used for community public welfare undertakings.

47. Public participation activities during project preparation are detailed in Table 4. The procedures undertaken (and will continue during implementation) are as follows: (i) to carry out public consultation at the early stage of project preparation and throughout the project cycle based on the principle of regular and uninterrupted; (ii) to disclose relevant information in a timely and sufficient manner so that the involved people can easily understand and know it; (iii) to implement it in an atmosphere free from intimidation or coercion; (iv) to include different genders, and answer all the questions, and adjust according to the needs of involved groups; and (v) consider all relevant views of the involved population and other stakeholders when making decisions, such as project design, mitigation measures, sharing of development benefits and opportunities, and implementation issues. The procedures and results of public consultation has been and will continue to be documented, monitored and reported semiannually to Gansu PMO and ADB.

Table 4 Public Participation Activities during Project Preparation

Contents	Approach	Time	Participant	Number of participants	Number of Women	Topics	Feedback	Measures/Outcomes
Villagers' meetings	Conferences	December 2021	Cadres and village representatives of affected communities	24	8	Project construction content and land use right transfer willingness	Land use right transfer willingness	The project land basically has no impact on the land use right transfer on the community income, and the preliminary land use right transfer in the community has reached.
Interviews with village-level cadres	Interview	December 2021	Village cadres	7	2	Discussion on LURT procedures and suggestions for LURT	Support of LURT and LURT rent	Rent should be slightly higher than or at least the same as the market price of existing LURT agreements in Ganzhou District. Initial negotiation determined that the rent is CNY 30/mu/year.
Community meetings	Conferences	February 2022	Multisectoral cadres of affected communities	16	4	Discussion on LURT scheme	Rent, term, payment method of LURT	Preliminary agreement on LURT scheme has reached and consent for land transfer has been issued.
Discussion with the Project Management Office	Conferences	February 2022	Ganzhou District Natural Resources Bureau and Agricultural and Rural Affairs Bureau	11	3	Discussion on specific operational measures for LURT	procedures of LURT and LURT fund raising	the fund should be in place before LURT every year

Contents	Approach	Time	Participant	Number of participants	Number of Women	Topics	Feedback	Measures/Outcomes
consultations with representatvis of the villages	group discussions	February 2022	villagers	56	30	Discussion on Willingness for LURT	Focusing on LURT rent and Management	The LURT rent shall be included in the village collective income for management and be used for public undertakings.

## 5.2 Public Participation Plan during Implementation Period

48. As the project preparation and corresponding implementation work move forward constantly, Ganzhou PMO will further carry out public participation. See Table 5 for details of information disclosure and public participation arrangements.

**Table 5 Public Participation Plan of the Subproject**

Purpose	Method	Time	Responsible Organization	Participant	Topic / Contents
Disclosure of LURT framework	ADB and Local Government Website	June 2022	Gansu PMO	Ganzhou PMO	Online disclosure
LURT implementation scheme	Post the LURT contract copies in the villages	August 2022	Ganzhou PMO and LURT Service Station in Town	All LURT-involved parties	Disclosure of LURT information
LURT Announcement	Disclosure of copies of LURT in village and villagers' meetings	October 2022	Village cadres	All LURT-involved parties	Post the contract in villages involved and report the main contents of the contract at the meeting
Confirmation on LURT measurement	Field survey, and post survey results	October 2022	Village cadres, land transferee and Pingnan Town	All LURT-involved parties	1) Confirm the final number of LURT 2) Improve contracts for LURT
Monitoring	Villager's participation	January 2023-December 2028	the monitor, Gansu PMO and Ganzhou PMO	All LURT-involved parties	1) Progress and impact of LURT 2) Payment of Transfer fees 3) Information disclosure

## 5.3 Grievance Redress Mechanism

49. The contract for the transfer of land use rights used in this project is based on negotiation and mutual consultation, so complex disputes are unlikely to occur. However, there may be some unexpected problems during and after the LURT. According to the Law of the People's Republic of China on Mediation and Arbitration of Rural Land Contract Disputes, the project has established a transparent and effective procedure and grievance compensation procedure to resolve disputes and breach of contract following the transfer of land use rights.

50. The appeal channels of the Subproject are shown as follows:

- Stage 1: If the involved persons have problems or complaints about LURT, they can lodge a grievance to the cadres of the village committee, and the village committee shall explain or arrange for handling in person, and reply within one week;
- Stage 2: If the involved persons are not satisfied with the handling or reply in stage 1, they may lodge a grievance to Ganjun Town, and the town cadres shall explain or arrange the handling in person, and reply within 2 weeks;
- Stage 3: If the involved persons are not satisfied with the treatment or reply of Pingnan Town, they can appeal to Ganzhou PMO, which will give a reply or make a handling decision within 2 weeks.

51. The involved persons may bring a lawsuit to the civil court at any stage according to the Civil Procedure Law. The involved persons can lodge an appeal against any aspect of LURT including the LURT standard.

52. Villagers will be informed of their right to appeal via the above-mentioned grievance channels through meetings and public notices.

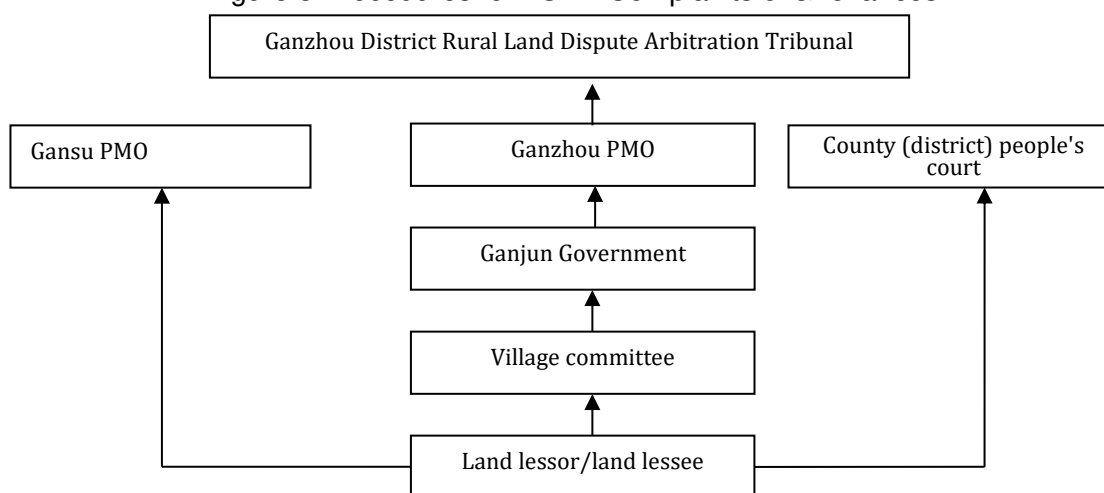
53. The involved persons can lodge grievances against any aspect of LURT, including the LURT rate, LURT fee and expenditure disclosure. The above-mentioned grievance channels and the name, location, person in charge, and telephone number of the accepting agency will be informed to the involved village and persons through meetings, notification and other means, so that the involved persons can fully understand their right to appeal.

54. In order to completely record the complaints of involved person and the handling of relevant issues, Ganzhou PMO has formulated a registration form of the handling of complaints and appeals of involved person. The form is shown in Table 6. See Figure3 for details of the resettlement grievance system.

**Table 6 Registration Form of Resettlement Complaints and Grievances**

Name of appellant	Appel issue	Required solution	Proposed solution	Actual handling progress
Appellant (signature)			Recorder (signature)	
Note: 1) The recorder shall truthfully record the appeal issue and demands of the appellant. 2) The appeal process shall not be interfered with or hindered by anyone. 3) The proposed solution shall be given to the appellant within the specified time.				

**Figure 3 Procedures for LURT Complaints & Grievances**



55. All organizations will accept the affected persons' complaints and grievances free of charge, and any reasonable costs incurred thereby will be included in the contingencies of the Subproject. The appeal procedures shall be effective throughout the Subproject to ensure that those can be applied by the involved persons to deal with relevant issues.



**Table 6 List of Project Contact Persons**

Department	Person in Charge	Tel.
Gansu Province Project Management Office	Gao Jing	18893168006
Ganzhou District Finance Bureau	Chen Xian	18909364330
Ganzhou District Project Management Office	Fu Xueyi	13993691055
People's Government of Ganjun Town	Tao Jiansheng	13830663853
Ganjun Town Village Committee	Ning Keqing	18793631578
Xiaoquan Village Committee	Li Fumin	13399361691

56. ADB's Accountability Mechanism. If the complainant/aggrieved party is still not satisfied and believes they have been harmed due to noncompliance with ADB policy and they have made good faith efforts to solve their problems by working with the concerned town government, PMO, and as well as ADB Project Team, they may submit a complaint to ADB's Office of Special Project Facility or Office of Compliance Review in accordance with ADB's Accountability Mechanism (<https://www.adb.org/site/accountabilitymechanism/main>).

## 6 Budget and Sources of Funds

57. According to the price in 2022, the total annual LURT cost is estimated to be CNY 102,000, including CNY 100,100 for Xiaoquan Village and CNY 19,500 for Ganjun Village. The LURT cost during the 6-year construction is included in the total construction investment of the Subproject, which is estimated to be CNY 612,200.

58. The land use right transfer cost will be self-raised by the land lessee.

**Table 7 Budget for Land use right transfer**

<b>Village</b>	<b>Rate (CNY/mu)</b>	<b>Area (mu)</b>	<b>Annual circulation expense (CNY)</b>	<b>Circulation expense during the 6-year construction (CNY)</b>
Xiaoquan Village	30	3336	100080	600480
Ganjun Village	30	65	1950	11700
Total			102030	612180

## **7 Monitoring and Reporting**

59. In order to ensure successful implementation of LURT as planned, monitoring and evaluation will be adopted. First, internal monitoring will be carried out by the Gansu PMO and Ganzhou PMO; Second, external monitoring and evaluation will be carried out by an external monitoring agency (same agency for RP M&E) through social survey and field visits to involved households/persons.

### **7.1 Internal Monitoring**

60. Internal LURT monitoring for the Subproject will be jointly implemented by the PMOs and other relevant departments, and Gansu PMO will prepare a detailed internal monitoring plan. The reporting will include but not limited to:

- Compliance audit of the LURT contracts.
- Whether the LURT has changed the land purpose and nature.
- Payment and availability of funds for LURT.
- Public participation activities and degree during implementation including women's participation.
- Use, supervision and management of LURT funds during implementation.
- complaints and grievances and solutions

61. The Gansu PMO will submit an internal monitoring report to ADB every six months, and the internal monitoring report on LURT will be an integral part of the project progress report. If non-compliance issues are identified, corrective action plans should be prepared and agreed with ADB and actions will be closely monitored and reported to ensure compliance.

### **7.2 External Monitoring**

62. Gansu PMO will employ a qualified external monitor with rich experience in ADB-financed projects as the external monitoring and evaluation agency on LURT implementation.

63. The external monitoring and evaluation agency will regularly track and monitor and assess the implementation activities of LURT, monitor the progress, quality, funds, satisfaction and appeal cases of LURT, and put forward consultation opinions, and submit the monitoring and evaluation reports to Gansu PMO and the Asian Development Bank semiannually.

64. During the implementation of LURT, the external monitoring agency will carry out regular tracking monitoring and evaluation twice a year. This will include review of documents, site visits, interviews with communities and various stakeholders. Surveys and interviews will also be undertaken for households within the villages who are benefiting from the project (e.g., those engaged during construction or planting activities, and other project-related opportunities). The monitoring items include:

- Review of existing LURT contracts or contracts to be signed at the time of monitoring
- Disclosure and publicity of LURT fee in communities
- Evaluation of public participation activities and satisfaction degree during LURT implementation;
- Use of LURT fee of communities, public consultation process and results;
- Responses to appeals and resolution;
- Presence of third party and validation process
- Women's participation
- Staffing and availability of funds
- Grievance redress mechanism
- project-related jobs and opportunities for communities

**Table 8 Content of LURT Due Diligence**

No.	Key requirement	Verification of indexes of various requirements
1	Transparency	Has the counterparty (family or village collective) obtained information about the Project?
		Has the counterparty obtained information about the specific use of the land?
		Does the counterparty support the Project and the intended land use?
2	Consultation	Is the counterparty involved in the consultation process (for example, meeting)?
		Has the content of the agreement been explained to the counterparty?
		Have consultations also been held with spouses and/or other family members of the counterparty?
3	Voluntary	Does the counterparty sign the agreement without pressure?
		Do spouses and/or other family members agree on leasing the counterparty's land?
4	Equity/equality	Is the rent equivalent to the average annual output value or market price of the land?
		Is there any provision for regular rent adjustment?
		In case of disputes, can the counterparty turn to GRM?
		Does the counterparty receive the rent according to the contract? Is it paid in cash or through the bank?
5	No adverse effects	Is the counterparty likely to be adversely affected (livelihoods, etc.)?
		Does the contract address any potential impact?
6	Written documents	Has the counterparty been provided a written contract?
		Is the contract written in words that are easy for the counterparty to understand?
7	Third-party verification	Is the contract verified/certified by a third party?
		Is a copy of the contract provided to a third party? Such as agriculture affairs office and/or land management office under town government.
8	Legal and policy compliance	Does the contract comply with relevant laws and policies?

65. The external monitoring agency will prepare the external monitoring report based on the information obtained from observation and investigation and submit the report every six months to Gansu PMO, which shall submit it to ADB after review. Monitoring will begin from July 2023 and continue until LURT activities are completed.

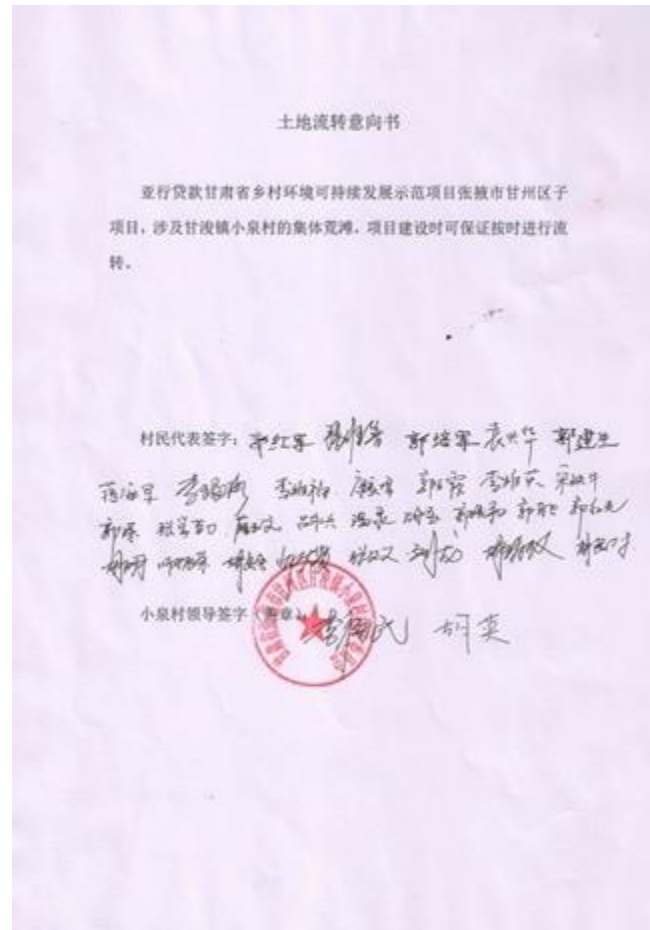
**Table 9 Schedule of LURT Monitoring and Reporting**

S/N	Report	Report submission date	Monitoring period	Remarks
1	First report	July 2023	Date of loan coming into effect ~ June 2023	Semi-annual report
2	Second report	January 2024	July ~ December 2023	Semi-annual report
3	Third report	January 2025	January ~ December 2024	Annual report
4	Fourth report	January 2026	January ~ December 2025	Annual report
5	Fifth report	January 2027	January ~ December 2026	Annual report
6	Sixth report	January 2028	January ~ December 2027	Annual report
7	Seventh report	November 2028	January ~ October 2028	Completion report

## Annex 3-1 Letter of Intent for Land use right transfer

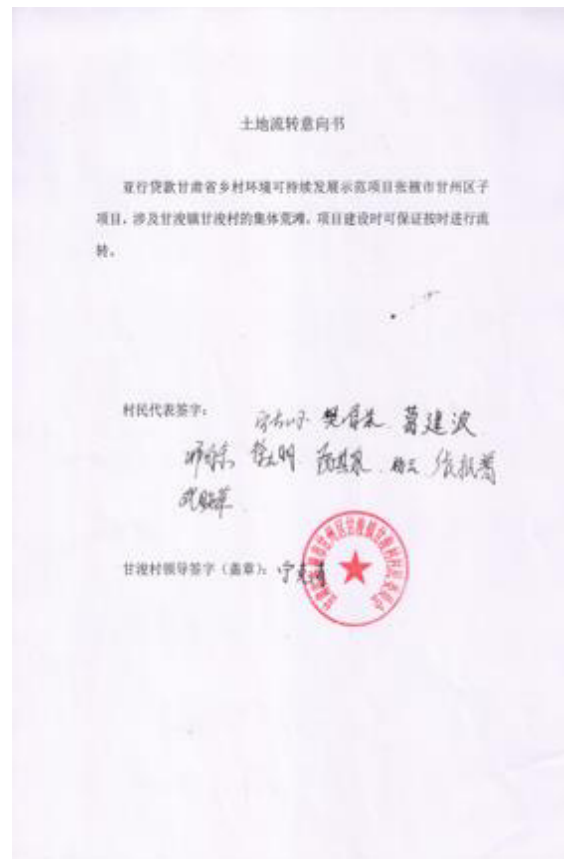
### 1) Xiaoquan Village

The Letter of Intent for Land Transfer issued by Xiaoquan Village Committee, to ensure that the land can be circulated on time for the construction of the Project.



## 2) Ganjun Village

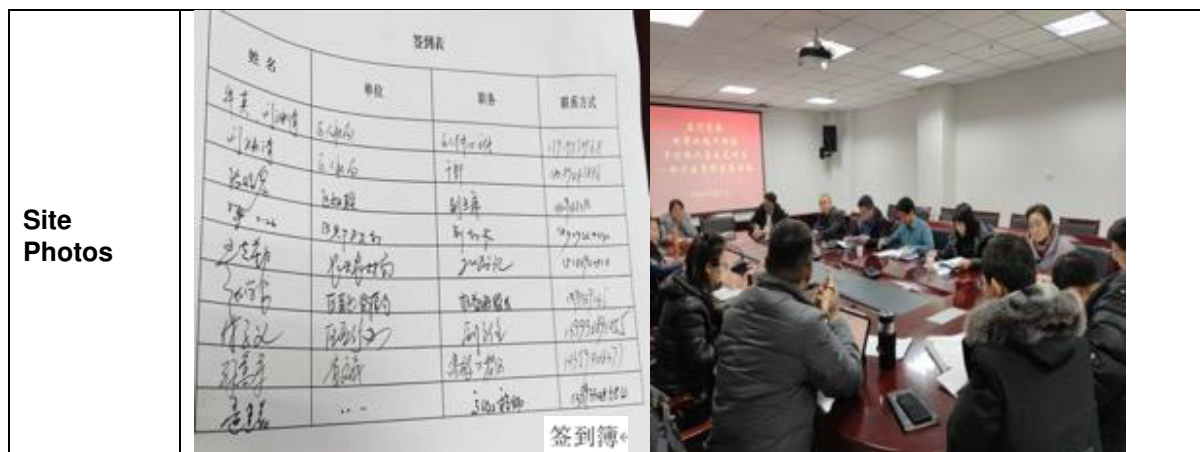
The Letter of Intent for Land Transfer issued by Ganjun Village Committee, to ensure that the land can be circulated on time for the construction of the Project.



## Annex 4 Record for Completed Public Participation During the Preparation

During the preparation of the Subproject, Ganzhou PMO has conducted extensive consultation and participation with interested parties or parties tracking and managing various interest factors (Natural Resources Bureau, Agriculture and Rural Affairs Bureau, Human Resources and Social Security Bureau, Women's Federation, and Finance Bureau, affected towns, villages and affected households). Topics discussed includes construction content of the Subproject, resettlement impacts, resettlement compensation policies and standards, compensation allocation and payment, and resettlement plan, as well as LURT related matters, among others

<b>Time</b>	2022.2.21
<b>Location</b>	Ganzhou District Finance Bureau
<b>Organizer</b>	Ganzhou PMO
<b>Participants</b>	Fu Xueyi of Ganzhou PMO, District Finance Bureau, Natural Resources Bureau, Agriculture and Rural Affairs Bureau, Natural Resources Bureau, District Women's Union, District Human Resources and Social Security Bureau
<b>Topics</b>	The following contents are introduced: the project construction, occupation of various types of land, circulated land, the impact on villagers, land use right transfer price, etc., identification and clarification of project land-use conditions by relevant local management departments, the views on handling of the villagers' interests during project construction, and the impact of the land-use scheme on the social insurances of local special groups such as women and villagers.
<b>Main content and results</b>	<p>The staff of the District Project Management Office introduced the basic information on project construction, classified land utilization, compensation standard, social security measures for the affected people, etc., especially the occupied cultivated land, land use right transfer, and related impacts of the Project, as well as the national, provincial, and Ganzhou District compensation policies on occupied land and land use right transfer.</p> <p>Representatives of all departments have actively discussed and communicated, and relevant personnel of the Project Management Office has made explanations and answered questions. The following results have been achieved:</p> <ol style="list-style-type: none"> <li>1. The project construction will generate high social and economic benefits. The land utilization scheme of the Project follows the principle of minimizing the utilization of cultivated land and greatly improving the value of unutilized land. All departments are highly supportive of the project construction.</li> <li>2. The land use right transfer expense is relatively high. According to the market circulation inquiry and considering the appropriate surplus, the annual circulation price of the collectively-owned unutilized land in villages is adjusted from CNY 150/mu to CNY 30/mu.</li> <li>3. As for the acquisition of 35.6 mu contracted land for villagers, the payment of social security funds for 15 farmers aged 16 and above shall be considered.</li> <li>4. The project construction has more positive impacts on women and vulnerable groups in the project area than the negative ones.</li> <li>5. In the ecological restoration and governance, 1,600 mu state-owned unutilized land is used for construction.</li> </ol>



<b>Time</b>	February 20, 2022
<b>Location</b>	Ganjun Village and Xiaoquan Village, Ganjun Town
<b>Organizer</b>	Ganzhou PMO and Resettlement Plan Investigation Team
<b>Participants</b>	Fu Xueyi and Ge Liang of the Project Management Office, cadres and villagers' representatives of two village committees, and the investigation team of the Resettlement Plan
<b>Topics</b>	Land occupation of the Project, identification of resettlement impacts, and suggestions on minimizing resettlement impacts
<b>Main content and results</b>	<p>Introduce the construction contents, land utilization and compensation of the Project, and the adjustment and optimization before and after the project feasibility study report for the minimum land utilization to the villagers in two villages.</p> <p>Village-level organizations and villagers believe that the Project makes the best use of the wasteland or Gobi Desert to lower the impact of land acquisition on villagers. The development of unutilized land can improve the surrounding environment, promote regional economic and social development, and also help local people to increase economic income concurrently. The land-expropriated farmers are satisfied with the land acquisition compensation plan and project construction.</p> <p>The village-level organizations and villagers in the project area are highly supportive of the project construction and project land utilization scheme after communications and explanations.</p>
<b>Site Photos</b>	<p>The image consists of two side-by-side photographs. The left photograph shows a group of people walking outdoors on a dirt path. The right photograph shows a group of people seated in a meeting room, facing a large screen.</p>